

Mr. President, this amendment is sponsored by myself, Senator LAUTENBERG, Senator EXON, and Senator KERREY from Nebraska.

The purpose of this amendment is to provide in this bill funds for the highest priority that the Secretary of Defense has identified if we are in a position to provide any additional funds in this defense bill.

As everybody here knows, the administration asked for a certain level of funding, and this body is adding \$7 billion to that pursuant to the budget resolution. The Secretary told us in the Armed Services Committee that if we had any additional money—not if we had \$7 billion, but if we had anything extra—we should fund what he considered ongoing operations. Those are the two operations going on in Iraq—one in northern Iraq and one in southern Iraq—we should fund the refugee support at Guantanamo, which is ongoing, and we should fund the humanitarian support and the deny-flight activities in Bosnia. He said at a very minimum next year he is going to have to spend a total of \$1.188 billion on those activities.

We did not in this bill fund that, and what I am proposing in this amendment is that we go ahead and fund that as he requested. In addition, we reduce the outlays in the total bill by \$111 million.

Now, the offset is to cancel, at least for this year, or put off, I should say, the funding of an amphibious assault ship, the LHD-7. This is a ship which the Department of Defense said they would like to come to Congress and request funds for 6 years from now, in the year 2001—not 1996, the year 2001.

The appropriators have taken the request for the 6th year and moved it forward into this next year. We do not need this ship next year. This would be the 12th LHD amphibious assault ship that we are buying. There are two under construction now. We just christened one in February of this year.

Mr. President, it is not a priority for the Pentagon. It was not requested by the Pentagon in this year's budget, and it was added by the appropriators. We should delete the funding for that and spend it on the top priority of the Department of Defense. That is what the amendment does. I hope my colleagues will support the amendment.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. STEVENS. Mr. President, this does subtract \$1.3 billion for the LHD-7. It is the top priority for the Marine Corps and the Navy. The Secretary of Navy has reaffirmed support of the LHD-7. It is authorized in the authorization bill.

I have moved to table. I yield back the remainder of my time. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question occurs on agreeing to the

Bingaman amendment No. 2390. The yeas and nays have been ordered.

Mr. STEVENS. This is a 10-minute rollcall.

The PRESIDING OFFICER. The Chair reminds the Senate this is a 10-minute rollcall.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. FORD. I announce that the Senator from New Jersey [Mr. BRADLEY] is absent because of illness in the family.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 73, nays 26, as follows:

[Rollcall Vote No. 385 Leg.]

YEAS—73

Abraham	Frist	Mack
Akaka	Glenn	McCain
Ashcroft	Gorton	McConnell
Bennett	Gramm	Mikulski
Biden	Grams	Murkowski
Bond	Grassley	Nickles
Breaux	Gregg	Nunn
Brown	Hatch	Packwood
Burns	Hatfield	Pressler
Byrd	Heflin	Robb
Campbell	Helms	Roth
Chafee	Hollings	Santorum
Coats	Hutchison	Sarbanes
Cochran	Inhofe	Shelby
Cohen	Inouye	Simpson
Coverdell	Jeffords	Smith
Craig	Johnston	Snowe
D'Amato	Kassebaum	Specter
DeWine	Kempthorne	Stevens
Dodd	Kennedy	Thomas
Dole	Kerry	Thompson
Domenici	Kyl	Thurmond
Faircloth	Lieberman	Warner
Feinstein	Lott	
Ford	Lugar	

NAYS—26

Baucus	Feingold	Moynihan
Bingaman	Graham	Murray
Boxer	Harkin	Pell
Bryan	Kerrey	Pryor
Bumpers	Kohl	Reid
Conrad	Lautenberg	Rockefeller
Daschle	Leahy	Simon
Dorgan	Levin	Wellstone
Exon	Moseley-Braun	

NOT VOTING—1

Bradley

The motion to table the amendment (No. 2390) was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote by which the motion was agreed to.

Mr. INOUE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

UNANIMOUS CONSENT AGREEMENT—NOMINATION OF LAWRENCE H. SUMMERS

Mr. STEVENS. Mr. President, as in executive session, I ask unanimous consent that when the Senate proceeds to the consideration of Executive Calendar No. 254, Lawrence Summers, to be Deputy Secretary of the Treasury, there be a 10-minute limit on debate equally divided between the majority and minority leaders, or their designees; that following the expiration of that time, the Senate proceed to vote immediately on the confirmation of the nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, I ask for the yeas and nays on that nomination.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. STEVENS. Mr. President, that vote will be one of those that are stacked for the next time.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT 1996

The Senate continued with the consideration of the bill.

Mr. STEVENS. Mr. President, we are going to proceed to the next Bingaman amendment. Senator BINGAMAN has asked for the right to have 2 minutes before the second and third amendments. He would like to use four amendments now and have the two amendments run without any intervening debate. I so ask unanimous consent.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The Senator from New Mexico is recognized for 4 minutes.

AMENDMENT NOS. 2392 AND 2394

Mr. BINGAMAN. Mr. President, I yield myself 3 of the 4 minutes. If I can be notified at the end of that time, then I will yield the last minute to the Senator from Ohio.

Mr. President, these two provisions, which are the subject of the next two amendments, are provisions which are hard to understand unless you understand the context.

The first of these amendments strikes a provision that is in the bill that increases progress payments to defense contractors from 75 percent to 85 percent. It is for large defense contractors. There is clearly no need for us to do this. All of these contractors are profitable. There has been no complaint about the current procedure where we pay 75 percent in progress payments. This provision is in the bill not to address a need. It is in the bill simply to soak up \$488 million in outlays which the Defense Subcommittee did not want to leave unused.

This provision would also deny all discretion to contracting officers on whether or not to make these payments, even if the contractor is not performing. They would have to make 85 percent progress payments if this provision remained in the bill, which it will not. This provision will be dropped in conference, and the funds that are protected here, as outlays, will be used for other purposes. That is the whole idea of having this provision in the bill.

There are better uses for this \$488 million in outlays. We could use it for deficit reduction, we could use it for some domestic accounts. Clearly, I urge my colleagues to vote to strike the provision.

Let me also address the second of these. The second provision is also designed to soak up outlays in the bill—\$750 million of outlays, to be specific. It requires the Pentagon to pay its bills in 24 days instead of in 30 days like everybody else in the commercial world and in Government. There is not a serious effort to speed up payment. When added to the previous provision, what it does is it protects in this defense appropriations bill \$1.238 billion in outlays.

Mr. President, what happened here, very simply, is that this bill was marked up, it was sent to CBO; CBO came back to the committee and said, "You have not spent all your money." And they said, "OK, in order to spend the rest, we will put these provisions in and we will drop them in conference and spend it on something else." That is exactly what is going on here. I think we ought to strike these provisions and use this money—keep this money for future needs. It will certainly be needed after this famous train wreck we are all expecting to occur around here in October.

I yield the remaining minute to the Senator from Ohio.

Mr. GLENN. Mr. President, the Senator from New Mexico described this very well. I do not know of any other place where we have said in the past that we would make progress payments that would not be below a certain amount. They are putting this up. We usually go at 75 percent. We are putting this up and saying you cannot pay them below that no matter what the status is at that point. That does not make sense. The second part of this is requiring that we pay within 24 days. That is how we got in some trouble a couple years ago under the Prompt Payment Act, where we forced people in rapid payment and they made mistakes, and we wound up having to get back \$1.4 billion from contractors that had been erroneously overpaid because of the short payment time.

So I support the Senator from New Mexico, and I hope everybody supports his amendment.

I reserve the remainder of our time.

The PRESIDING OFFICER. Who yields time?

Mr. STEVENS. Mr. President, we are dealing, first, with an amendment that says that the Department of Defense should make payments at the rate of at least 85 percent on progress payments that are due under a contract. Mind you, they are due. The current level, by law, is 75 percent for major businesses, 80 percent for small businesses, and 85 percent for disadvantaged small businesses. What we are saying is that they should make the payments required by these contracts not less than 85 percent. They should be making them 100 percent, but the law says you only have to make 75 percent. We say they should do at least 85 percent. By the way, if the Bingaman amendment is adopted, it will increase outlays for this year.

The second one is the prompt payment amendment. The Department of Defense used to pay their bills with a

maximum, by law, of not more than a 30-day delay on bills that are due and payable. Again, that is the prompt payment legislation. They were paying their bills within 23 days. Now they moved it to 30 days. That means that in this period of time, small businesses, in particular, are forced to go out and borrow money. So they will have to increase the cost to the Government in the next contract if they are forced to borrow the money. This requires the Department of Defense to pay these businesses as soon as possible, and we assume they will pay them within 24 days rather than 30 days.

Now, it is true that it affects outlays, and it means it is a good place to put money. By the way, if we do not use the outlays this year, we will have to make the payments next year. That pyramids the outlays and decreases the 5-year budget scheme. I made a motion to table each of these amendments. These will be two 10-minute votes back-to-back, with no intervening debate.

Mr. BINGAMAN. Mr. President, do I have remaining time?

The PRESIDING OFFICER. The Senator has 4 seconds.

Mr. BINGAMAN. I will yield it back.

Mr. STEVENS. Have the yeas and nays been requested?

The PRESIDING OFFICER. The yeas and nays have not been requested on the motion to table the second amendment, No. 2394.

Mr. STEVENS. I ask for the yeas and nays on the motions to table both Bingaman amendments.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

VOTE ON MOTION TO TABLE AMENDMENT NO. 2392

The PRESIDING OFFICER. The question is on agreeing to the motion to table the Bingaman amendment No. 2392.

The yeas and nays have been ordered.

The clerk will call the roll.

Mr. FORD. I announce that the Senator from New Jersey [Mr. BRADLEY] is absent because of illness in the family.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 62, nays 37, as follows:

[Rollcall Vote No. 386 Leg.]

YEAS—62

Abraham	Faircloth	Lieberman
Ashcroft	Ford	Lott
Bennett	Frist	Mack
Bond	Gorton	McCain
Breaux	Gramm	McConnell
Brown	Grams	Mikulski
Burns	Gregg	Murkowski
Campbell	Hatch	Nickles
Chafee	Hatfield	Packwood
Coats	Heflin	Pressler
Cochran	Helms	Reid
Cohen	Hollings	Robb
Coverdell	Hutchison	Roth
Craig	Inhofe	Santorum
D'Amato	Inouye	Shelby
DeWine	Johnston	Simpson
Dodd	Kassebaum	Smith
Dole	Kempthorne	Snowe
Domenici	Kyl	

Specter
Stevens

Thomas
Thompson

Thurmond
Warner

NAYS—37

Akaka	Feinstein	Lugar
Baucus	Glenn	Moseley-Braun
Biden	Graham	Moynihan
Bingaman	Grassley	Murray
Boxer	Harkin	Nunn
Bryan	Jeffords	Pell
Bumpers	Kennedy	Pryor
Byrd	Kerrey	Rockefeller
Conrad	Kerry	Sarbanes
Daschle	Kohl	Simon
Dorgan	Lautenberg	Wellstone
Exon	Leahy	
Feingold	Levin	

NOT VOTING—1

Bradley

So the motion to table the amendment (No. 2392) was agreed to.

VOTE ON MOTION TO TABLE AMENDMENT NO. 2394

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the motion to table the Bingaman amendment numbered 2394. The yeas and nays have been ordered.

The clerk will call the roll.

Mr. FORD. I announce that the Senator from New Jersey [Mr. BRADLEY] is absent because of illness in the family.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 62, nays 37, as follows:

[Rollcall Vote No. 387 Leg.]

YEAS—62

Abraham	Ford	McConnell
Ashcroft	Frist	Mikulski
Bennett	Gorton	Murkowski
Bond	Gramm	Nickles
Breaux	Grams	Packwood
Brown	Gregg	Pressler
Burns	Hatch	Reid
Campbell	Hatfield	Robb
Chafee	Heflin	Roth
Coats	Helms	Santorum
Cochran	Hollings	Shelby
Cohen	Hutchison	Simpson
Coverdell	Inhofe	Smith
Craig	Inouye	Snowe
D'Amato	Johnston	Specter
DeWine	Kempthorne	Stevens
Dodd	Kyl	Thomas
Dole	Lieberman	Thompson
Domenici	Lott	Thurmond
Faircloth	Mack	Warner
Feinstein	McCain	

NAYS—37

Akaka	Glenn	Lugar
Baucus	Graham	Moseley-Braun
Biden	Grassley	Moynihan
Bingaman	Harkin	Murray
Boxer	Jeffords	Nunn
Bryan	Kassebaum	Pell
Bumpers	Kennedy	Pryor
Byrd	Kerrey	Rockefeller
Conrad	Kerry	Sarbanes
Daschle	Kohl	Simon
Dorgan	Lautenberg	Wellstone
Exon	Leahy	
Feingold	Levin	

NOT VOTING—1

Bradley

So the motion to table the amendment (No. 2394) was agreed to.

Mr. STEVENS. Mr. President, this is the last of the stacked votes. We intend now to go to a series of amendments. We encourage Senators to raise them.

We will have another session where we will have votes that have been stacked sometime after 9 o'clock. Senator BUMPERS is entitled to some time before this amendment.

But let me state that I hope there will be no objection. We would like to ask unanimous consent that all remaining first-degree amendments be offered by 8:30 this evening. They will be subject to relevant second-degree amendments.

I ask unanimous consent.

The PRESIDING OFFICER. Is there objection?

Mr. GRAMM. Reserving the right to object, is there any way that we could have this debate tonight and come back in the morning?

Mr. STEVENS. That is precisely what we are trying to set up for you. We hope to have some debate between now and 9. We want to look at those amendments in the interim between the time we will have the next series of votes. Then we will have debate on the remaining amendments and have the votes on them tomorrow morning, and that will be the last of this bill.

The PRESIDING OFFICER. Is there objection?

Mr. BUMPERS. Reserving the right to object.

Mr. STEVENS. The Summers matter will be taken up later.

The Senator from Arkansas is entitled to 2 minutes.

The PRESIDING OFFICER. Is there objection to the request?

Mr. BUMPERS. Reserving the right to object, did the Senator from Alaska say we will vote, debate, or both in the morning?

Mr. STEVENS. It is our request that we ask that all amendments be filed by 8:30. We will look those over. We are going to have a series of amendments between now and, say, 9 o'clock. We will vote on amendments that have been debated before 9 o'clock, and then after 9 o'clock, we will take up the remaining amendments. We will stay here as long as people want to explain their amendments.

Tomorrow morning, at about 9 or 9:30, we will start voting on all the remaining amendments, and we will vote until they are done and go home.

Mr. BUMPERS. Further reserving the right to object, does the Senator have any idea how many amendments are expected to be filed?

Mr. STEVENS. I might say we had some, I think, 80 amendments when we started. We are now down to, I think, no more than 20. We have taken care of a lot of them. We expect to be able to take care of a lot of those filed by 8:30. The remaining amendments that are not voted on by 9 o'clock will be voted on tomorrow morning.

I believe that is the understanding that everyone has agreed to.

The PRESIDING OFFICER. Will the Senator from Alaska restate the unanimous consent request?

Mr. STEVENS. I ask unanimous consent that all first-degree amendments

be offered by 8:30 this evening and that they be subject to relevant second-degree amendments.

Mr. BINGAMAN. Mr. President, reserving the right to object, is the unanimous-consent request that the amendments be offered or that the amendments be filed? It has been stated both ways.

Mr. STEVENS. Offer them, and we will set them aside. You can offer them, as many as you want, whatever you want. They will be offered, and we will look at them and determine how we allocate them, whether we ought to take them up now. You can offer them now and debate them after 9 o'clock.

Mr. BINGAMAN. My own view would be it is reasonable to request they be filed or sent to the managers by 8:30, and it is probably not reasonable to ask us to actually call them up for debate here in the Senate.

Mr. STEVENS. If the Senator wishes to do so, I will be happy to have a request that all amendments be brought to either the Senator from Hawaii or myself by 8:30. That is fine with me. Unless they are in our hands by 8:30, then I would like to set up a procedure where we get through.

I yield to the leader.

Mr. DASCHLE. Mr. President, let me just respond. I think this is a very appropriate way to handle this process. We have done it before. We want to expedite to the extent we can to accommodate all Senators. It is not too much to ask to have these amendments offered. I will be as supportive as anyone in setting aside whatever business we have to accommodate Senators who want to have these amendments offered.

I would like to know what amendments are out there. If we do not have them offered, we are not going to know what amendments are there.

So it is very important I think that we try to accommodate the schedule. Let us lay down the amendments. We can agree to time limits later on. But this will give us a good indication of what we have left to do as anything I know.

So I hope we can work with the managers and get the job done and determine what the schedule is after that.

Mr. WELLSTONE. Mr. President, if I could ask the manager, is there a particular reason why—the Senator from New Mexico was quite correct; we could have a vote. And I have an amendment which will take some time. I do not know if there would be enough time for them to offer them. But they can file them. Is there a particular reason why, at 9 o'clock, you want to get more votes as opposed to stacking them and having the votes tomorrow? I am trying to figure out why.

Mr. STEVENS. Mr. President, the reason is that we think everyone should be on notice as to what is going to be called up while you are not here. We do have a provision for relevant second-degree amendments. Before you go home, you ought to know what they

are. We will be happy to disclose them to you. If you have a reason to offer the second-degree amendment, that means they have been filed. You may then tell us that you have a second-degree amendment, and we will protect you. But we cannot protect you if they are brought up and filed and we do not know what they are. We could have second-degree amendments coming off the wall.

Mr. WELLSTONE. My second question was, having the vote after 9 o'clock as opposed to debate and having the amendments offered and having the votes tomorrow morning, stacked votes, is there a particular reason?

Mr. STEVENS. There has been a request that we have sort of a time here where people want to go to dinner. We have some votes that are ready to go right now. We have one more called for, but we have others that we could call up. For instance, we thought we would wait and let people go to dinner and have one more set of votes any time you want. But we picked 9 o'clock so we can look at the 8:30 filings and inform Senators at that time what kind of agenda we have for tomorrow morning.

Mr. WELLSTONE. My only question is, is there a reason you have to vote after 9 o'clock? Could the amendments be offered, debated, and stack the votes tomorrow? That is the question, why votes after 9?

Mr. STEVENS. The main reason is as a matter of fairness so people will understand what is here in case they want to offer second-degree amendments. You cannot come in tomorrow morning and offer second-degree amendments if we have already closed off debate and said that there is no longer any debate on that amendment.

Mr. BUMPERS. Mr. President, I do not want to be obstreperous and I will not object to this. But I would say to the Senator from Alaska that it seems to me that we are making eminent good sense to ask for a unanimous-consent agreement that all amendments be offered by 8:30, look and see how many you have and how many you think are serious, and then go to another unanimous-consent request by 9 o'clock on how you want to dispose of those. If you have 20 serious amendments—I have an amendment that I had anticipated asking an hour on. I assume others have that. I do not think there is any way to get all of this done tonight and start voting in the morning. If we have to come tomorrow morning for votes, why not do some debating?

Mr. STEVENS. We will do all the debating tonight and vote tomorrow morning because people want to leave. Beyond that, my friend, you said precisely why we want to come back at 9. We will know by 8:30 what is there. You will have a chance to protect yourself for second-degree amendments if you wish to do so. And we will be proceeding through the night. Senator INOUE and I have agreed to stay here. Anyone

who wants to debate these can. We have not asked for the time yet specifically when we start voting tomorrow. But after that, there will be no more debate.

Mr. BUMPERS. I would anticipate that under this agreement, we could plan to be having breakfast in the Senate dining room in the morning.

Mr. GRAMM. If you want to debate, you will. If you do not want to debate, you will not.

Mr. STEVENS. That is interesting. I did ask, as chairman of the Rules Committee, it be open tomorrow morning.

I renew my request.

The PRESIDING OFFICER. Will the Senator from Alaska revise his request to say filed with the managers of the bill?

Mr. STEVENS. The leader has asked me to stay with the original agreement that has been agreed to between the two leaders, and that is that we have first-degree amendments offered by 8:30; second-degree amendments can be offered to any of those that are offered by 8:30. No amendments may be called up after 8:30.

The PRESIDING OFFICER. Is there any objection?

Mr. HARKIN. Reserving the right to object. I wish to make sure that I am protected in my amendments. Let this Senator understand it correctly. If I have four amendments, they have to be submitted prior to 8:30?

Mr. STEVENS. Offered. We did this several times before. All you have to do is just come in and say, "I offer this amendment." We say, "Fine," and set it aside.

Mr. HARKIN. And there is no time limit.

Mr. STEVENS. We have no time limit on these amendments. There will be a time limit in the sense that we are going to listen to you all night if you want to talk, but tomorrow morning we are going to start voting and there will be no more debate.

Mr. HARKIN. Well, at what time tomorrow morning?

Mr. STEVENS. We have not agreed to that. That is why we are coming back at 9 o'clock.

Mr. HARKIN. Maybe this Senator does not want to stay up all night.

Mr. STEVENS. Then come back at 9 o'clock and object then.

Mr. HARKIN. So there could be debate tomorrow?

Mr. STEVENS. There could be depending what agreement we reach after 9 o'clock. We cannot determine what kind of agreement to make until we see these amendments.

Mr. HARKIN. Is the unanimous consent just to have all the amendments filed by 8:30?

Mr. STEVENS. Offered.

Mr. HARKIN. Offered.

Mr. STEVENS. That is all it is, with the understanding in the agreement that they are subject to second-degree amendments. We have not waived second-degree amendments.

I renew my request.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. STEVENS. The Senator from Arkansas is entitled to be recognized for 2 minutes.

Mr. DOLE. Before we do that, if I could just say a word.

The PRESIDING OFFICER. The majority leader has the floor.

Mr. DOLE. There is a good chance we can complete our work here if everybody cooperates and does not take too much time.

We have listened to two or three Senators all afternoon and they have more amendments. That is certainly their right. I wish they would understand there are Members on each side who have other ideas for tomorrow. One idea is not staying here all day. So if they would like to talk, as I said, go home and make the speech. A lot of people at home never hear the speeches. We hear them every day.

AMENDMENT NO. 2395, AS MODIFIED

Mr. STEVENS. May we have order so we may listen to the Senator from Arkansas for 2 minutes?

The PRESIDING OFFICER. The Senate is not in order.

The Senator from Arkansas has the floor and is entitled to be heard.

The Senator from Arkansas.

Mr. BUMPERS. Mr. President, last week on the Defense authorization bill we voted to add a fifth method of financing arms sales to foreign countries. We have four programs right now. This bill appropriates for that fifth method—an Arms Export Loan Guarantee Program.

This bill says the Department of Defense can accumulate liability up to \$15 billion in this brand new loan guarantee program—shades of S&L's of the 1980's. I handed most of you the talking points and a list of 37 countries that are going to be eligible to buy these weapons with loans guaranteed by the U.S. Government—15 billion dollars worth.

I lost the other night when I tried to kill the program. It is still intact. What this amendment does is to cut the taxpayers liability from \$15 billion to \$5 billion. This program has not even been set up yet. The committees in the Congress have not approved it. Why in the name of all that is good and holy would we put \$15 billion in a program that is just a gleam in somebody's eye?

We will be here next year. We will sell 10 billion dollars worth of weapons this year. Under this program, starting next year we can sell weapons with guaranteed loans to Slovenia, Slovakia, Albania, Bulgaria, the Philippines, just to name a few of the eligible countries. Many of them are very poor countries. So the bill allows the American that wants to sell weapons to pay the risk fee on behalf of the country that will buy them. Now, how do you like that?

Do you think countries that cannot even give you a 2 or 3 percent fee are

worthy of millions and billions of dollars' worth of credit guaranteed by the taxpayers of this country? I plead with you. All I am saying is let us not start off exposing the taxpayers of this country to \$15 billion in liability. For Pete's sake, let us keep it at \$5 billion.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. STEVENS. What this simply does is put a limit of \$15 billion on loan guarantees that may be authorized by the armed services bill. It is not authorized yet. This sets a limit of \$15 billion, period.

I move to table the amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to table the Bumpers amendment No. 2395, as modified. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. FORD. I announce that the Senator from New Jersey [Mr. BRADLEY] is absent because of illness in the family.

The result was announced—yeas 53, nays 46, as follows:

[Rollcall Vote No. 388 Leg.]

YEAS—53

Abraham	Frist	Nickles
Ashcroft	Gorton	Nunn
Bennett	Grams	Packwood
Bond	Gregg	Pell
Breaux	Hatch	Pressler
Brown	Hefflin	Robb
Burns	Helms	Santorum
Chafee	Hutchison	Shelby
Coats	Inhofe	Simpson
Cochran	Inouye	Smith
Cohen	Jeffords	Snowe
Coverdell	Kempthorne	Specter
Craig	Lieberman	Stevens
D'Amato	Lott	Thomas
DeWine	Mack	Thompson
Dodd	McConnell	Thurmond
Dole	Moynihan	Warner
Ford	Murkowski	

NAYS—46

Akaka	Feinstein	Leahy
Baucus	Glenn	Levin
Biden	Graham	Lugar
Bingaman	Gramm	McCain
Boxer	Grassley	Mikulski
Bryan	Harkin	Moseley-Braun
Bumpers	Hatfield	Murray
Byrd	Hollings	Pryor
Campbell	Johnston	Reid
Conrad	Kassebaum	Rockefeller
Daschle	Kennedy	Roth
Domenici	Kerrey	Sarbanes
Dorgan	Kerry	Simon
Exon	Kohl	Wellstone
Faircloth	Kyl	
Feingold	Lautenberg	

NOT VOTING—1

Bradley

The motion to table the amendment (No. 2395) was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote by which the motion was agreed to.

Mr. INOUE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

The Senator from Minnesota, under a previous order, was to be recognized.

Mr. WELLSTONE. I thank the Chair. Mr. President, I talked with the Senator from Texas, the Senator from Arkansas, and the Senator from Iowa, and I am pleased to let them offer their amendments. I understand we will set them aside and go to my amendment.

The PRESIDING OFFICER. The Senator from Texas.

AMENDMENT NO. 2396

(Purpose: To provide for the management of defense nuclear stockpile resources)

Mrs. HUTCHISON. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON] proposes an amendment numbered 2396.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The text of the amendment is printed in today's RECORD under "Amendments Submitted.")

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that my amendment be laid aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, I ask unanimous consent that all amendments filed under this procedure be set aside until they are called up, so we do not have to have delay as we are going to be yielding time now, if that is agreeable.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, I also ask unanimous consent when there is a time agreement, if a Senator yields for the purpose of presenting an amendment in order to comply with the unanimous-consent agreement, that that time not come out of the time of the person who is speaking.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BUMPERS. Reserving the right to object, will the Senator amend his unanimous-consent request to say unless the managers have agreed to the amendment and you can dispose of it instead of laying everything aside?

Mr. STEVENS. I agree with what the Senator said. We are going to be proceeding under a unanimous-consent agreement. If the Senator has the floor and yields to someone to call up an amendment, I do not intend to try to handle that amendment at the time.

The Senator from Minnesota has the floor, and I invite people to come in and comply with the unanimous-consent agreement by presenting their amendments. But I do not want to handle them—I agree with what the Senator says. I do ask unanimous consent, as he indicates, that the amendments will not be set aside if the managers are prepared to accept them at the time they are offered.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BUMPERS. Mr. President, I ask the Senator from Minnesota if he will yield to me for the purpose of offering one amendment which has been agreed to and another one which I would like to file and lay down and set aside.

The PRESIDING OFFICER. Does the Senator still yield?

Mr. WELLSTONE. I am pleased to yield to the Senator from Arkansas.

AMENDMENT NO. 2397

(Purpose: To prohibit the financing of risk fees as part of the Defense Export Loan Guarantee Program)

Mr. BUMPERS. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Arkansas [Mr. BUMPERS], for himself and Mr. SIMON, proposes an amendment numbered 2397.

Mr. BUMPERS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 69, at the end of line 3 insert the following: "That the exposure fees charged and collected by the Secretary for each guarantee, shall be paid by the country involved and shall not be financed as part of a loan guaranteed by the United States;"

Mr. STEVENS. Mr. President, I agree with the Senator's amendment, but it has not been cleared on this side yet. I am prepared to accept it when it is cleared.

Mr. BUMPERS. I am sorry?

Mr. STEVENS. I agree with the Senator's amendment. It has not been cleared. There is one person who registered objection. We are visiting with him now. I will be able to deal with it later.

Mr. BUMPERS. Mr. President, I ask unanimous consent that the amendment be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2398

(Purpose: To reduce the amount of money provided for the Trident II missile program)

Mr. BUMPERS. Mr. President, I send another amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Arkansas [Mr. BUMPERS] proposes an amendment numbered 2398.

Mr. BUMPERS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 22, strike lines 1-2 and insert in lieu thereof the following: "tor-owned equipment layaway: \$1,651,421,000, to remain available for obligation until September 30, 1998: *Provided*, That of the funds appropriated in this paragraph, none shall be obligated for any D-5 missiles, D-5 missile components, ship modifications and ship components that are associated with backfitting any Trident I submarines to carry D-5 Trident II missiles."

Mr. BUMPERS. Mr. President, I ask unanimous consent that the amendment be laid aside temporarily.

The PRESIDING OFFICER. Under the previous order, the amendment is set aside.

Mr. HARKIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa.

AMENDMENTS NOS. 2399, 2400, 2401, AND 2402

Mr. HARKIN. Mr. President, I ask the Senator from Minnesota to yield to me for the purpose of offering four amendments, under the unanimous consent agreement of the manager of the bill.

The PRESIDING OFFICER. The clerk will report.

Mr. HARKIN. Mr. President, I send four amendments to the desk.

The legislative clerk read as follows:

The Senator from Iowa [Mr. HARKIN] proposes amendments numbered 2399, 2400, 2401, and 2402.

Mr. HARKIN. Mr. President, I ask unanimous consent that the reading of the amendments be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments are as follows:

AMENDMENT NO. 2399

(Purpose: To limit indirect costs regarding compensation)

SEC. . RESTRICTION ON REIMBURSEMENT OF COSTS.

(a) None of the funds authorized to be appropriated in this Act for fiscal year 1996 may be obligated for payment on new contracts on which allowable costs charged to the government include payments for individual compensation (including bonuses and other incentives) at a rate in excess of \$250,000 per year.

AMENDMENT NO. 2400

(Purpose: To strike \$125,000,000 appropriated for Aircraft Procurement, Army, for upgrade of Kiowa Warrior light scout helicopters.)

On page 18, line 7, strike out "\$1,498,623,000" and insert in lieu thereof "\$1,373,623,000".

AMENDMENT NO. 2401

(Purpose: To strike \$70,000,000 appropriated for Research, Development, Test and Evaluation, Defense-Wide, for support technologies/follow-on technologies advanced development, specifically provided for the Space-Based Laser Program)

On page 29, line 12, strike out "\$9,196,784,000" and insert in lieu thereof "\$9,126,784,000".

AMENDMENT NO. 2402

(Purpose: To strike \$30,000,000 appropriated for Research, Development, Test and Evaluation, Defense-Wide, for the ASAT Anti-Satellite Weapon program)

On page 29, line 12, strike out "\$9,196,784,000" and insert in lieu thereof "\$9,166,784,000".

Mr. HARKIN. Mr. President, I ask unanimous consent that the amendments be laid aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BINGAMAN addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I also ask if the Senator from Minnesota

will allow me to send an amendment to the desk for consideration, and then I will lay it aside so he can proceed with his own amendment.

The PRESIDING OFFICER. The Senator from New Mexico.

AMENDMENT NO. 2403

(Purpose: To reduce funding for the TOW 2B (by \$20,000,000), Hellfire II (by \$40,000,000), and CBU-87 (by \$30,000,000), which are munitions that have been determined by the Inspector General of the Department of Defense as being excess to the requirements of the Armed Forces)

Mr. BINGAMAN. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from New Mexico [Mr. BINGAMAN] proposes an amendment numbered 2403.

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 82, between lines 11 through 12, insert the following:

SEC. 8087. (a) The total amount appropriated in title III under the heading "MIS-SILE PROCUREMENT, ARMY" is hereby reduced by \$60,000,000.

(b) The total amount appropriated in title III under the heading "OTHER PROCUREMENT, AIR FORCE" is hereby reduced by \$30,000,000.

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the amendment be set aside until after completion of the presentation by the Senator from Minnesota.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Minnesota is recognized.

Mr. STEVENS. Will the Senator yield at this point?

Mr. WELLSTONE. I will be pleased to yield.

Mr. STEVENS. Mr. President, I believe the Senator is prepared to enter into a time agreement. It is my understanding he will agree to 20 minutes on a side on his amendment.

Mr. WELLSTONE. I understand the Senator to say 40 minutes equally divided?

Mr. STEVENS. I ask unanimous consent that there be 40 minutes equally divided before a motion pertaining to his amendment.

Mr. WELLSTONE. Mr. President, I wonder whether I could ask the Senator from Alaska, included in this agreement would be that I could have 2 minutes to summarize before the vote.

Mr. STEVENS. I ask unanimous consent that all amendments treated in this period now have 2 minutes before the vote, or more if it is requested specifically.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

AMENDMENT NO. 2404

(Purpose: To reduce by \$3,200,000,000 the total amount to be appropriated)

Mr. WELLSTONE. Mr. President, I send my amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Minnesota [Mr. WELLSTONE], for himself, Mr. FEINGOLD, Mr. HARKIN, Mr. BUMPERS and Mr. SIMON, proposes an amendment numbered 2404.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 34, between lines 13 and 14, insert the following:

SEC. 8000. REDUCTION IN TOTAL AMOUNT TO BE APPROPRIATED.

Notwithstanding any other provision of this Act, the total amount appropriated for fiscal year 1996 under the provisions of this Act is hereby reduced by \$3,200,000,000, with the total amount of such reduction to be used exclusively for reducing the amount of the Federal budget deficit.

Mr. WELLSTONE. Mr. President, my amendment is designed as a follow-up or a follow-on to a close vote we took in this body last week on an amendment to the DOD authorization bill from the Senator from Wisconsin, Senator KOHL, and the Senator from Iowa, Senator GRASSLEY, which I cosponsored.

That amendment would have reduced by \$7 billion the total authorized defense spending provided for in this bill. The same amount of defense spending provided for in the Senate version of the budget resolution passed earlier this year.

Mr. President, during consideration of the budget resolution in May, a bipartisan majority of 60 Senators voted against an amendment which would have increased defense spending above the level requested by the Clinton administration. To my surprise, some of those Senators switched last week and voted to support the bill even with this huge increase, which they had opposed just a few months earlier.

My amendment seeks to find the middle ground by cutting a modest \$3.2 billion from the amount appropriated in the bill overall, without identifying specific programs to be reduced.

Unlike the Kohl amendment, which I supported, and which would have reduced total spending in the bill by \$7 billion, the amount requested by the administration for this year, this amendment would simply cut the overall total by \$3.2 billion, leaving a total of about \$240 billion to be spent next year on defense.

Mr. President, that is still about \$3.2 billion more than the Pentagon itself requested for next year. As outrageous as this may seem to Americans who were listening, especially those who consider programs like job training and education and student loans and Medicare, programs that are being slashed in both the House and the Senate, this defense bill, in its current form, provides \$6.4 billion more than the President, more than the Secretary of Defense and more than the Joint Chiefs of

Staff have requested for this year—an amount, I believe, Mr. President, already vastly more than is necessary to defend our Nation.

With the Kohl amendment, not only has the Senate gone on record as wanting to hold the defense budget completely harmless as we work to reduce the deficit, but it has even gone on record as opposing attempts to scale back defense spending to the administration's request. Sadly, the Kohl amendment to cut \$7 billion was defeated by a close margin last week.

This amendment will test how far Senators are willing to go back toward the principle that all sectors of our society, including defense contractors, ought to bear some modest share of the deficit reduction burden. From that earlier vote, I conclude that there are 48 Senators who believe that the Pentagon budget provided for in this bill is too high and should be lowered as we move forward in the budget debates this year.

Mr. President, while the amendment does not designate specific programs to be cut, I will be discussing specific examples of programs that were not requested by the administration and that should be removed from it. Some have been focused on by Senator BINGAMAN, Senator MCCAIN and others already. They are mostly weapons systems included in this bill to satisfy various Defense Committee members and military contractors but that were not judged to be needed by the administration. Some were ships or planes that were not scheduled to be bought by the Pentagon until after the turn of the century, but which were accelerated by 6 or 7 years, at a time when we are supposed to be doing deficit reduction. Others were rejected by the Pentagon, altogether as ineffective or too costly, but they are included in this appropriations bill.

If we pass this bill without my amendment, my Minnesota constituents will continue to pay their taxes to bolster the treasuries of bloated defense contractors, who are building ships, planes, and weapons systems that we do not need and cannot use and that will not make our Nation any more secure.

So that there is no mistake, Mr. President, let me repeat that for those who are listening, we are considering today a defense spending bill that spends a full \$6.4 billion more than the President requested in his budget. We are doing this despite the fact that there is no sudden extraordinary threat to justify such an increase and many of those in this body who are pressing for such a huge increase are precisely the same people who are out on the floor day after day, week after week, month after month, howling about how we simply have to get this deficit under control. They are doing this while at the same time larding defense bills with billions in spending for the local shipyard or weapons contractor, or plane manufacturer. Have we no

shame, Mr. President? Is there no sense of limits in this body when it comes to wasteful and unnecessary weapons programs? Mind you, this \$3.2 billion is all for deficit reduction.

Now, controlling the deficit is important, and I have supported responsible, fair-minded deficit reduction proposals totaling hundreds of billions of dollars. But I cannot allow this debate to move forward without observing a few of the blatant incongruities here. Mr. President, while virtually every other agency of the Federal Government is taking huge cuts in order to help reduce the deficit and programs that actually serve millions of people in our States are being scaled back or shut down altogether, the Pentagon budget is actually growing by leaps and bounds. As I said the other day, Mr. President, this is one of the craziest things I have seen during my time in the Senate. Even during the defense budget of the 1980's, Congress was not pressing more spending on the Pentagon than it had requested, as this bill would do. Make no mistake, Mr. President, the post-cold-war defense budget is becoming less and less focused on our real national security needs and more and more on the needs of particular Members of Congress to sustain jobs in their home States.

American taxpayers are paying for costly, obsolete, fantastically expensive cold war era weapons systems that are no longer justifiable, basically to preserve the political health of certain Members of Congress.

Mr. President, that is the sad, unvarnished truth. Many of the weapons systems we are still paying for were initiated during the 1980's defense buildup and have little or no relation to the changed strategic situation we now face in the post-cold-war era. Yet, we continue to fund them, terrified that scaling the spending back modestly will cost precious jobs in our States. And it is particularly troubling that the Armed Services Committee has proposed these hefty increases at the same time that the Defense Department is being called to task for not being able to account for billions of dollars—over \$13 billion, Mr. President, at last count, in its own spending.

In May of this year, the Pentagon's own spending watchdog, its Comptroller General, John Hamre, conceded that the DOD could not account for over \$13 billion of spending. Their own report says that they could not account for \$13 billion of spending. We now have here \$6 billion more than was in budget.

Mr. President, it has just been lost in the ocean of paperwork at the Pentagon, and this \$13 billion will never be sorted out. In fact, the Comptroller has all but given up trying to find out what happened to most of the money, arguing that it would be more expensive than it would be to track it down. So here we have a report, \$13 billion of wasteful money, expenditure of money that we cannot even account for. Now

we have \$6 billion more in this appropriations bill than requested, and this amendment says just cut that in half and, for God's sake, can we not use that for deficit reduction?

I see my colleague here on the floor. He will be part of the discussion on this amendment.

Mr. KERRY. I thank my colleague for his courtesy. Actually, I not only wanted to be part of the discussion, I wanted to ask my colleague for the forbearance to put an amendment in so that I could be covered by the 8:30 curfew.

Mr. WELLSTONE. Mr. President, I am pleased to yield to my colleague to make sure that none of his time would be taken.

MOTION TO RECOMMIT

Mr. KERRY. Mr. President, I send a motion to the desk and ask for its appropriate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Massachusetts [Mr. KERRY] moves to recommit S. 1087 to the Committee on Appropriations with instructions to report back to the Senate legislation that does not appropriate funds to the Department of Defense in excess of the President's request for fiscal year 1996.

Mr. KERRY. I will quickly explain this motion because it complements the amendment of the Senator from Minnesota. The Senator is seeking a \$3 billion reduction. This amendment seeks to recommit the bill on the basis that we should not be requesting more money than the President of the United States has requested.

I think the Senator from Minnesota has most appropriately focused on a series of problems within the accounting process, in spending procurement process, of the Defense Department.

In addition to that, Mr. President, I know the Senator feels this very strongly. We ought to be making decisions around here based on the real needs of the country, not on wish lists.

It is very, very difficult when we look at the level of teenage pregnancy, when we look at the fact that last year 36 percent of the high school graduates in America graduated with a below basic reading level capacity. Fifty percent of minorities in this country graduated with a below basic reading level capacity.

This means last year we put 750,000 people in the work force in America with a skill level for jobs that disappeared 50 years ago.

That, Mr. President, is something we really ought to be focusing on. I can go through a list of items in this bill, including \$564 million increase on fighter planes or \$125 million increase on the request for the Kiowa Warrior Scout Helicopter and other things.

I am all for upgrading and keeping up with a defense that is second to nobody in this planet. I believe, Mr. President, \$236 billion will do that. There is not a compelling need to spend \$242 billion-plus.

Now, I think when we measure all of the things we have done, the Goals 2000 in education, we will cut substance abuse prevention money, we will cut safety schools and drug money, we are making it harder for kids to go to college, yet we are going to come along with a series of expenditures here ranging from the post 1996 D-5 missile production.

If we have good enough START II implementation, and we get the Duma in Russia to ratify it and we continue downwards, there is no reason to build D-5's after 1996. We have money for that in here.

We could increase burden sharing by the Republic of Korea. We can procure the most cost-effective airlifter, C-17's or commercial. There are many things we could do, Mr. President.

I have \$37 billion worth of reductions I think we could find. All we are looking for is \$6 billion. I do not think at this time in the United States choice-making here in Washington, where we are seeking to find the things we need to do for the country that we ought to be filling some extraordinary wish list, when this golden moment in international affairs is staring us in the face. We could really make, I think, a tougher set of choices.

I yield the floor back to the Senator.

I simply think we ought to have a vote here before we put this bill away as to whether or not the President was not well advised to suggest to the U.S. Senate that \$236 billion will do the job, and why it is that we must spend this additional \$6 billion this year and a lot more over the next 5 years and beyond.

Mr. WELLSTONE. Mr. President, will the Senator yield?

Mr. KERRY. I am happy to yield to the Senator.

Mr. WELLSTONE. I thank the Senator. I would have outlined some of the same weapon systems the Senator enumerated.

Is the Senator aware of the fact that in May during consideration of the budget resolution, a bipartisan majority of 60 Senators voted against an amendment which would have increased defense spending above the level requested by the Clinton administration?

Mr. KERRY. That is correct.

Mr. WELLSTONE. So, not that many months ago, a short period of time ago, Senators went on record saying certainly in this time of tight budgets, when we are talking about deficit reduction and lots of people are being asked to tighten their belt, and we are making cuts in education, and as the Senator said, in substance abuse programs, treatment programs and in job training and low-income energy assistance, the Senate went on record.

Now all of a sudden we see contrary to the advice of the administration, the Joint Chiefs of Staff, the Pentagon itself—I cannot remember a time where we are now talking about an appropriations bill that is \$6 billion above the request.

Mr. KERRY. Let me answer that by saying to my friend I think there are three great issues that most Americans are concerned about.

The first is their decline in income. It is the increasing anxiety of the workplace, the fear that people will lose a job, or that if they get a job, they cannot raise their standard of living, they cannot, even by working harder, make ends meet. That is the first and foremost priority of people in this country.

I cannot point to very much—maybe some of my colleagues can do a better job than I can—but I cannot find anything that the Senate has worked on yet this year that will address that issue in a profound way.

The second great issue that faces Americans is the question of whether or not they can walk out of their house and go out at night to a restaurant without fear of not finding their car when they come out of the restaurant, or maybe being hit over the head, or whether their kids can go out and play in a neighborhood.

There is nothing that we have done, yet, that fundamentally addresses that need, except reduce the expenditures for substance abuse—the greatest problem in America being drugs—and target for attack the idea of putting more cops on our streets, which was the great issue of last year.

The third great issue that I think Americans are concerned about is education. I just spoke about it. Our school systems are falling apart. In city after city, community after community, teachers are demoralized, people are not paid enough, the curriculum stinks.

We have a whole host of problems, and here we are with Russia, at odds about whether or not to ratify the START treaty with a moment where we could be greater leaders in the world with respect to proliferation, with respect to our capacity to have intrusive inspection, and what are we doing?

We are cutting Head Start. We are cutting substance abuse. We are targeting the program that puts police on the streets. We have not addressed one of those three profound needs, but we are going to spend more than the Joint Chiefs of Staff think we ought to, and that the Commander in Chief has asked us to, does not make sense, Mr. President.

I thank my colleague for allowing me to put my amendment in at the appropriate time. I yield the floor.

Mr. WELLSTONE. Mr. President, I thank the Senator from Massachusetts for his amendment and also for his words here on the floor of the Senate.

AMENDMENT NO. 2404

Mr. WELLSTONE. Mr. President, I would like to summarize, and I will get a chance to summarize for my colleagues again.

Here we have a situation—and I want to be clear about what this amendment does—here we have a situation where

we have in this appropriations bill \$6.4 billion more than requested by the administration, by the Pentagon, by the Joint Chiefs of Staff—over budget.

This amendment says, can we not at least cut half of that, \$3.2 billion, and all of that goes for deficit reduction? Mr. President, I do not designate what weapon system to be cut, though I raised questions about many of those weapon systems and the value of them, as has the Senator from Massachusetts.

What I do know, Mr. President, is that it seems to me in a time when we say we are for deficit reduction and we are calling for sacrifice among people in the country and we are putting into effect some really serious cuts—not just in programs but in programs that have a critical impact on the quality or lack of quality of the lives of people—educational opportunities for children, food, nutrition programs, Head Start, early childhood development programs, Women, Infants, and Children, low-income energy assistance program, job training program, making sure that young people can afford higher education—I just say to my colleagues, why in God's name when we are making cuts in all of those programs, and now what we are doing is we have \$6 billion more over budget, \$6 billion more than requested by the administration—I do not think there is any standard of fairness to this. Surely we can make some cuts here as well, Mr. President. That is what this amendment calls for.

Mr. President, I urge my colleagues to vote aye on this amendment to reduce, by \$3.2 billion, the total spending in this bill. That will still leave about \$240 billion in this bill to be spent on defense next year and over \$260 billion in total, when you add in Energy Department weapons programs and military construction projects provided for in the DOD authorization bill.

Vote to at least bring the defense budget more closely in line with what the President and the Secretary of Defense have requested, I say to my colleagues, a figure that is already too high, in my view. And especially to those Senators, 60 in all, who voted for lower defense spending numbers on the budget resolution, I appeal to you, vote to restore some sanity to defense budgets that have gone dangerously awry. Vote aye on this amendment.

Mr. President, I, for the moment, yield the floor and I retain the remainder of my time.

Might I ask how much time I have remaining, Mr. President?

The PRESIDING OFFICER. The Senator from Minnesota has 6 minutes 10 seconds.

Mr. AKAKA addressed the Chair.

The PRESIDING OFFICER (Mr. DEWINE). Who yields time? The Senator from Hawaii.

AMENDMENT NO. 2405

(Purpose: To require the Secretary of Defense and the Secretary of the Army to reconsider the decision not to include the infantry military occupational specialty among the specialties for which special pays are provided under the Selected Reserve Incentive Program)

Mr. AKAKA. Mr. President, to meet the requirements of the chairman of the committee, I have an amendment to offer. I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Hawaii [Mr. AKAKA] proposes an amendment numbered 2405.

Mr. AKAKA. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 83, between lines 11 and 12, insert the following:

SEC. 8087. The Secretary of Defense and the Secretary of the Army shall reconsider the decision not to include the infantry military occupational specialty among the military skills and specialties for which special pays are provided under the Selected Reserve Incentive Program.

Mr. AKAKA. Mr. President, I ask it be laid aside for further consideration.

The PRESIDING OFFICER. Under the previous order, it may be laid aside.

AMENDMENT NO. 2406

(Purpose: To express the sense of the Senate regarding underground nuclear testing)

Mr. AKAKA. Mr. President, I have another amendment to send to the desk, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Hawaii [Mr. AKAKA] proposes an amendment numbered 2406.

Mr. AKAKA. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place in the bill, add the following:

SEC. 1062. SENSE OF SENATE REGARDING UNDERGROUND NUCLEAR TESTING.

(a) FINDINGS.—The Senate makes the following findings:

(1) The President of France stated on June 13, 1995, that the Republic of France plans to conduct eight nuclear test explosions over the next several months.

(2) The People's Republic of China continues to conduct underground nuclear weapons tests.

(3) The United States, France, Russia, and Great Britain have observed a moratorium on nuclear testing since 1992.

(4) A resumption of testing by the Republic of France could result in the disintegration of the current testing moratorium and a renewal of underground testing by other nuclear weapon states.

(5) A resumption of nuclear testing by the Republic of France raises serious environmental and health concerns.

(6) The United Nations Conference on Disarmament presently is meeting in Geneva, Switzerland, for the purpose of negotiating a Comprehensive Nuclear Test Ban Treaty (CTBT), which would halt permanently the practice of conducting nuclear test explosions.

(7) Continued underground weapons testing by the Republic of France and the People's Republic of China undermines the efforts of the international community to conclude a CTBT by 1996, a goal endorsed by 175 nations at the recently completed NPT Extension and Review Conference (the conference for the extension and review of the Nuclear Non-Proliferation Treaty).

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the Republic of France and the People's Republic of China should abide by the current international moratorium on nuclear test explosions and refrain from conducting underground nuclear tests in advance of a Comprehensive Test Ban Treaty.

Mr. AKAKA. I ask it be set aside for further consideration, and I yield back my time.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUE. Mr. President, article I, section 8, of the Constitution of the United States states the following:

Congress shall have the Power To * * * raise and support Armies * * * To provide and maintain a Navy; To make rules for the Government and Regulation of the land and naval Forces; To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections, and repel Invasions.

Mr. President, I cite the Constitution because in the debate today we have heard on several occasions that the President did not approve this or the President did not ask for appropriations, that the President did not have this in his budget request.

Mr. President, the Constitution of the United States does not say that the President shall have the power to raise and support armies or that the President has the power to provide and maintain a navy. It is the Congress that has the power. And what we are doing today, and this evening, is to exercise that power and authority that has been granted to the people of the United States and to their representatives in the House and the Senate.

If we abide with some of the suggestions made by my colleagues, I would say the Constitution should read that the Congress of the United States will be the rubberstamp of the President. I do not believe that was ever the intention of our Founding Fathers.

Second, throughout the debate today, the sum of \$7 billion has been heard on several occasions. It represents sums of moneys that this committee has recommended for the purchase of certain equipment. It is true that what I am about to list were not specifically requested by the President. But in the exercise of our authority as set forth in article I, section 8, of the Constitution, we felt that the best interests of this Nation would be served if we did exercise this authority. So, if I may, I would like to go down the list so my colleagues will know what is involved.

The so-called master plan of the Department of Defense states that, by the

year 2000, we will purchase 15 DDG-51 destroyers. These are the latest destroyers, the most powerful on the seven seas. The President requested two. We decided for the sake of economies, we should have four.

In the scheme of contracting and building, I think it is common knowledge that if one purchases in larger quantities the purchase price would be less—\$1.4 billion. Before we made this decision we conferred with the Chief of Naval Operations, we conferred with the Secretary of the Navy. They considered this to be of high priority.

Just a few moments ago this Congress, this Senate, by a vote of 72 to 27, approved the appropriation of \$1.3 billion for the purchase of an LHD-7 amphibious assault ship. That ship was not requested by the President of the United States, but it is part of the master plan of the Department of Defense. It is scheduled to be purchased in about 3 years. But, in checking with the shipyards of this Nation, we found that this year would be the year to make that contract. This is one of the highest priorities for the U.S. Marines.

We call upon the Marines almost every year, unfortunately, to send their men in harm's way. They are the first on the beach. They are the first to shed blood. And they want to make certain, if they are going to be first, they do so with the best of equipment, best of survival facilities—and this ship will provide that survivability.

Mr. President, \$770 million for the National Guard. The President of the United States did not request \$770 million for the National Guard equipment, but every adjutant general of the 50 States begged the Congress for assistance in this area. It is common knowledge among us that, up until now, the National Guard gets all the leftovers. When the regular services get new equipment, they get the old equipment. When the M1A2 tank comes out, they will get the M1A1 tanks. They put up the sand bags for floods. They are involved in Bosnia. They were in Desert Storm. They were in Somalia. And they will be going to the next place wherever it is. And if we are calling upon the National Guard, the citizen soldiers, to stand in harm's way, I think it is only reasonable for the Congress to provide them with the necessary equipment.

That was \$777 million.

This bill has 12 FNA-18 aircraft, \$484 million. The master plan calls for the purchase of 24. The administration had requested 12. We added 12. Here again, it was a matter of economies, and by economies I am talking about big economies. By doing this, we would have saved over \$250 million.

A high priority for the military are the F-15's and F-16's; \$370 million for 12 of them.

A few hours ago this Senate, by an overwhelming vote, approved the funding of \$300 million for the national missile defense research and development. That was not requested by the President. We added the \$300 million.

We also added \$300 million for the Coast Guard. The Coast Guard, as you know, Mr. President, is funded through the Department of the Treasury. They are not part of the Defense Department. For all intents and purposes, the Coast Guard is now part of the U.S. Armed Forces. They were deeply involved in Desert Storm. They suffered casualties like all the other services. They are presently involved in the blockade in Bosnia. They are also involved very deeply working with the Navy in drug interdiction.

So the Treasury Subcommittee came to us, and they did so about 3 years ago, to provide a helping hand with the Coast Guard. And we have been doing this. The Senate knows that, the House knows that, and the President knows that.

The sum of \$174 million for the Comanche helicopter; if one should look over the whole appropriations measure—and I say so as a former Army person—the Army was the one that was shortchanged. The Navy got their ships, and the Air Force got their aircraft. This is the one thing that the Army wanted, the Comanche helicopter, \$174 million.

This bill also has \$250 million for five hurricane aircraft. Mr. President, they were not requested by the President of the United States. But I hope my colleagues will be able to confer with the Governors of the coastal States and the gulf States and ask their opinion—all of those. Every moment at this time of the year there is some hurricane popping around in the Caribbean or in the Atlantic. And we have heroic men and women 24 hours a day up in the air checking these things out. The least we can do is to give them adequate equipment and the best of aircraft. This will provide it, Mr. President.

There is no pork in here. Listening to the debate, one gets the impression that this is all waste, this is all pork. And as I said earlier this day, I do not wish to sound personal and parochial. But there is not a single item in here that is made in Alaska or Hawaii. There is no pork in here for our two States. But we feel as chairman and ranking member of the subcommittee that these are absolutely essential.

We know that this is a very painful period, Mr. President. I, too, would like to see more money being spent for the homeless, for the poor, and the hungry, and for those who are not receiving appropriate education. But we have not arrived at the millennium that we pray for. There are still people outside our borders and inside our borders that would relish the thought of destroying us. This is not paranoia, Mr. President. This is the real world.

So, Mr. President, I hope that my colleagues will look over the list that I have just set forth for you, sir. And if they can tell us that they do not need the destroyer, they do not need the hurricane aircraft, they do not wish to have the National Guard fully equipped, they do not wish to have the

Coast Guard better equipped, then we might think otherwise. But no one has come forth telling us to cross out the F-22, cross out the F-15, cross out the F-15 and the F-16. No. Mr. President, it has been \$7 billion.

I do not often speak on the floor. But I just want my colleagues to know that making decisions such as this is not an easy chore. I can assure you that this is a lean and mean defense bill. If there is fat, it is almost negligible. And it is not in this list, sir.

Thank you.

Mr. STEVENS. Mr. President, I think the Senator from Arizona wants to file an amendment. I yield to him for that purpose.

AMENDMENT NO. 2407

(Purpose: To place a limitation on the use of funds for Former Soviet Union Threat Reduction)

Mr. KYL. Mr. President, I send an amendment to the desk and ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Arizona [Mr. KYL] proposes an amendment numbered 2407.

Mr. KYL. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 82, between lines 11 and 12, insert the following:

SEC. 8087. LIMITATION ON USE OF FUNDS FOR COOPERATIVE THREAT REDUCTION.

(a) LIMITATION.—Of the funds available under title II under the heading "FORMER SOVIET UNION THREAT REDUCTION" for dismantlement and destruction of chemical weapons, not more than \$52,000,000 may be obligated or expended for that purpose until the President certifies to Congress the following:

(1) That the United States and Russia have completed a joint laboratory study evaluating the proposal of Russia to neutralize its chemical weapons and the United States agrees with the proposal.

(2) That Russia has, with the assistance of the United States (if necessary), prepared a comprehensive plan to manage the dismantlement and destruction of the Russia chemical weapons stockpile.

(3) That the United States and Russia are committed to resolving outstanding issues under the 1989 Wyoming Memorandum of Understanding and the 1990 Bilateral Destruction Agreement.

(b) DEFINITIONS.—In this section:

(1) The term "1989 Wyoming Memorandum of Understanding" means the Memorandum of Understanding between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics Regarding a Bilateral Verification Experiment and Data Exchange Related to Prohibition on Chemical Weapons, signed at Jackson Hole, Wyoming, on September 23, 1989.

(2) The term "1990 Bilateral Destruction Agreement" means the Agreement between the United States of America and the Union of Soviet Socialist Republics on destruction and non-production of chemical weapons and on measures to facilitate the multilateral convention on banning chemical weapons signed on June 1, 1990.

The PRESIDING OFFICER. Under the previous order, the amendment will be set aside.

AMENDMENT NO. 2404

Mr. STEVENS. Mr. President, how much time remains now?

The PRESIDING OFFICER. The Senator from Alaska has 5 minutes 12 seconds.

Mr. STEVENS. Does the Senator from Minnesota have any time?

The PRESIDING OFFICER. The Senator from Minnesota has 6 minutes 4 seconds.

Mr. STEVENS. Mr. President, I will make one comment for the consideration of my friend from Minnesota, and that is to tell him that of the three other bills pertaining to the Department of Defense for 1996, compared to the three other bills this is the lowest level of spending in any of the DOD authorization or appropriations bills. We are below the authorization in the House, we are below the authorization in the Senate, and we are below the appropriations in the House. How can we be so far off the mat as I have been hearing?

I reserve the remainder of our time.

The PRESIDING OFFICER. Who yields time?

Mr. WELLSTONE. Mr. President, for my colleagues I would like to read from a letter from the administration.

The administration does not support the committee 202(b) allocation, or the level of funding provided by the committee bill, which is nearly \$6.5 billion above the President's request. By providing an increase for defense programs that are neither wanted nor justified, the bill would seriously undermine the President's goal of achieving a balanced budget while increasing investment programs essential to a higher standard of living for all Americans.

As reflected in his budget, the President firmly believes that it is possible to maintain a strong defense without sacrificing critical investments. The committee's allocation raises serious concerns about the overall priorities reflected in the appropriation process.

For this reason and other concerns discussed below, the President's senior advisers would recommend the President veto the bill if it were presented to him in the current form.

I have a tremendous respect for my colleague from Hawaii, and he is not on the floor now, but just in response, I do not think the Chairman of the Joint Chiefs of Staff is a millennialist. I do not think that the Chairman of the Joint Chiefs of Staff does not make very rigorous decisions about national security.

Again, one more time, we are talking about deficit reduction. We are talking about cuts in education, child nutrition, low-income housing, low-income energy assistance programs, health care programs, you name it. And at the same time we are going \$6.4 billion above budget, and this amendment just says can we not cut \$3.2 billion in budget authority and use that for deficit reduction?

Mr. President, it just seems to me that people in Minnesota and people

around the country are saying, sort out your priorities. We are spending billions of dollars renewing cold war relics like star wars, the antimissile defense system, the B-2 bomber, new generations now of attack helicopters and airplanes, more destroyers, more carriers, more expensive weaponry.

It is like the sky is the limit. All of my colleagues who talk so much about deficit reduction over and over and over again, they seem to be great when it comes to reducing an investment in children and in health care and in job training and in reducing violence in our communities, but when it comes to the military contractors, it goes on and on and on and on.

In all due respect, I do not think the Pentagon, I do not think the Chairman of the Joint Chiefs of Staff, I do not think these are the kinds of people who do not make rigorous analysis about what is in our national defense.

But enough is enough. Enough is enough. It seems to me we can communicate a message to people in this country that there is going to be some little deficit reduction here in this Pentagon budget. Forty-nine Senators voted for this proposition. That was \$7 billion. I cut this in half. I am hoping to have the support of my colleagues.

Finally, I would say to my colleagues on the other side—not all of my colleagues on the other side—I think there comes a point in time we are going to have to redefine national security. And part of national security is surely the security of our local communities—that is what the Senator from Massachusetts was trying to say, I say to my colleague from New Mexico—the security of local communities, where there is less violence, where there are opportunities for children, where there is affordable child care, where there is decent housing, when people are trained for jobs, when there are jobs available. This is all part of national security, too.

This amendment just says cut \$3.2 billion—that is it—of the \$6.4 billion over budget and use that for deficit reduction.

I yield the floor.

Mr. President, how much time did I have remaining?

The PRESIDING OFFICER. The Senator from Minnesota has 1 minute 28 seconds.

Mr. WELLSTONE. I reserve the remainder of my time.

Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. In the interest of time, I again will not comment very long on this.

Again, I point out that we have a real problem in the sense we do not have the allocation that the other bills have, and yet we are being criticized for having the level which is the lowest spending level that has been presented to the Congress during this session by any of the four bills.

I say this to my friend from Minnesota. If you look at the 5-year to 7-

year trend, the President's budget comes down and then goes back up. We have a budget level which is almost a straight line going through the 7-year period. The difference between the President's bill and ours is that we use the money such as on the LHD-7 or on the extra two DDG-51's to spend it wisely so we get a savings.

There is nothing in this bill that is not in the President's program ultimately in the same 7-year period. But we are getting it at a different pace, and we are using our head about when to continue a line and when to shut it down. The LHD-7 for instance funded in this bill now will save us \$700 million over this period of the 7 years. We save a similar amount of money by starting the funding on the DDG-51's.

I cannot understand why we are criticized for getting more for less money. Again, I want to state that. We spent less money than any of the other three bills, and we get more for defense, meet more of the objectives, and I believe that you will see the Department of Defense recognizing that.

I yield to my friend from Arkansas. And I see the Senator from South Dakota here, too, to qualify amendments.

Mr. WELLSTONE. Mr. President, if my colleague will yield for a moment—

Mr. PRYOR. The curtain is about to fall.

Mr. WELLSTONE. I am sorry. I was going to say we will be done in 1½ minutes.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. PRYOR. Mr. President, I ask unanimous consent that the Wellstone amendment be temporarily laid aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2408

(Purpose: To provide for the testing of theater missile defense interceptors)

Mr. PRYOR. Mr. President, I have an amendment which I send to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Arkansas [Mr. PRYOR] proposes an amendment numbered 2408.

Mr. PRYOR. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place, insert the following:

SEC. . TESTING OF THEATER MISSILE DEFENSE INTERCEPTORS.

(a) APPROVAL BEYOND LOW-RATE INITIAL PRODUCTION.—The Secretary of Defense may not approve a theater missile defense interceptor program beyond the low-rate initial production acquisition stage until the Secretary certifies to the congressional defense committees that the program—

(1) has successfully completed initial operational test and evaluation; and

(2) involves a suitable and effective system.

(b) CERTIFICATION REQUIREMENTS.—(1) In order to be certified under subsection (a), the

initial operational test and evaluation conducted with respect to a program shall include flight tests—

(A) that were conducted with multiple interceptors and multiple targets in the presence of realistic countermeasures; and

(B) the results of which demonstrate the achievement of baseline performance thresholds by such interceptors.

(2) The Director of Operational Test and Evaluation shall specify the number of flight tests required with respect to a program under paragraph (1) in order to make a certification referred to in subsection (a).

(3) The Secretary may utilize modeling and simulation validated by ground and flight testing in order to augment flight testing to demonstrate weapons system performance for purposes of a certification under subsection (a).

(c) REPORTS.—(1) The Director of Operational Test and Evaluation and the head of the Ballistic Missile Defense Organization shall include in the annual reports to Congress of such officials plans to test adequately theater missile defense interceptor programs throughout the acquisition process.

(2) As each theater missile defense system progresses through the acquisition process, the officials referred to in paragraph (1) shall include in the annual reports to Congress of such officials an assessment of the extent to which such programs satisfy the planned test objectives for such programs.

(d) DEFINITION.—For purposes of this section, the baseline performance thresholds for a program are the weapon system performance thresholds specified in the baseline description for the weapon system established pursuant to section 2435(a)(1) of title 10, United States Code, before the program centered into the engineering and manufacturing development stage.

AMENDMENT NO. 2409

(Purpose: Relating to interim leases of property approved for closure or realignment)

Mr. PRYOR. Mr. President, I have an additional amendment I send to the desk at this time.

The PRESIDING OFFICER. The previous amendment will be set aside. The clerk will report this amendment.

The legislative clerk read as follows:

The Senator from Arkansas [Mr. PRYOR] proposes an amendment numbered 2409.

Mr. PRYOR. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place add the following:

SEC. . INTERIM LEASES OF PROPERTY APPROVED FOR CLOSURE OR REALIGNMENT.

Section 2667(f) of title 10, United States Code, is amended by adding at the end the following:

“(4)(A) Notwithstanding the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the scope of any environmental impact analysis necessary to support an interim lease of property under this subsection shall be limited to the environmental consequences of activities authorized under the proposed lease and the cumulative impacts of other past, present, and reasonably foreseeable future actions during the period of the proposed lease.

“(B) Interim leases entered into under this subsection shall be deemed not to prejudice the final property disposal decision, even if final property disposal may be delayed until completion of the interim lease term. An in-

terim lease under this subsection shall not be entered into without prior consultation with the redevelopment authority concerned.

“(C) The provisions of subparagraphs (A) and (B) shall not apply to an interim lease under this subsection if authorized activities under the lease would—

“(i) significantly effect the quality of the human environment; or

“(ii) irreversibly alter the environment in a way that would preclude any reasonable disposal alternative of the property concerned.”.

The PRESIDING OFFICER. This amendment will be set aside.

Mr. PRYOR. Mr. President, I thank the Chair.

AMENDMENTS NOS. 2410 THROUGH 2424

Mr. STEVENS. Mr. President, I make a similar offer on behalf of the managers. I file a series of amendments to be considered later under the agreement.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Alaska [Mr. STEVENS] proposes amendments numbered 2410 through 2424.

Mr. STEVENS. Mr. President, I ask unanimous consent that reading of the amendments be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments are as follows:

AMENDMENT NO. 2410

(Purpose: To limit indirect costs regarding compensation)

SEC. . Restriction on reimbursement of costs.

“(a) None of the funds provided in this Act may be obligated for payment on new contracts on which allowable costs charged to the government include payments for individual compensation at a rate in excess of \$250,000 per year.”

AMENDMENT NO. 2411

At the appropriate place, insert:

SEC. . The Secretary of Defense shall develop and provide to the congressional defense committees an Electronic Combat Master Plan to establish an optimum infrastructure for electronic combat assets no later than March 31, 1996.

AMENDMENT NO. 2412

(Purpose: To prohibit the expenditure of funds for the pay and allowances of military personnel convicted of serious crimes)

At the appropriate place in the bill insert the following new section:

SEC. . Prohibition of pay and allowances for military personnel convicted of serious crimes.

“(a) Notwithstanding any other provision of law, none of the funds appropriated by this Act shall be obligated for the pay or allowances of any member of the Armed Forces who has been sentenced by a court-martial to any sentence that includes confinement for one year or more, death, dishonorable discharge, bad-conduct discharge, or dismissal during any period of confinement or parole.

“(b) In a case involving an accused who has dependents, the convening authority or other person acting under title 10, section 860, may waive any or all of the forfeitures of pay and allowances required by subsection (a) for a period not to exceed six months. Any amount of pay or allowances that, except for a waiver under this subsection,

would be forfeited shall be paid, as the convening authority or other person taking action directs, to the dependents of the accused.

"(c) if the sentence of a member who forfeits pay and allowances under subsection (a) is set aside or disapproved or, as finally approved, does not provide for a punishment referred to in subsection (a), the member shall be paid the pay and allowances which the member would have been paid, except for the forfeiture, for the period during which the forfeiture was in effect."

AMENDMENT NO. 2413

(Purpose: To provide for termination of Project ELF of the Navy)

On page 9, line 4, after "30, 1997" insert the following: "Provided further, That, of the funds appropriated under this heading, not more than \$12,200,000 shall be available only for paying the costs of terminating Project ELF".

AMENDMENT NO. 2414

On page 29, before the period on line 13, insert: "Provided further, That of the funds appropriated in this paragraph for the Ballistic Missile Defense Organization, \$10,000,000 shall only be available to continue program activities and launch preparation efforts under the Strategic Target System (STARS) program".

AMENDMENT NO. 2415

On page 17, increase the amount on line 3 by \$40,000,000.

On page 10, reduce the amount on line 19 by \$40,000,000.

AMENDMENT NO. 2416

(Purpose: To place limitations on the obligation of funds for procurement of certain attack submarines)

On page 82, between lines 11 and 12, insert the following:

SEC. 8087. (a) If, on February 18, 1996, the Secretary of the Navy has not certified in writing to the Committees on Appropriations of the Senate and the House of Representatives that—

(1) the Secretary has restructured the new attack submarine program to provide for—

(A) procurement of the lead vessel under the program from General Dynamics Corporation Electric Boat Division (hereafter in this section referred to as "Electric Boat Division") beginning in fiscal year 1998 (subject to the price offered by Electric Boat Division being determined fair and reasonable by the Secretary),

(B) procurement of the second vessel under the program from Newport News Shipbuilding and Drydock Company beginning in fiscal year 1999 (subject to the price offered by Newport News Shipbuilding and Drydock Company being determined fair and reasonable by the Secretary), and

(C) procurement of other vessels under the program under one or more contracts that are entered into after competition between Electric Boat Division and Newport News Shipbuilding and Drydock Company for which the Secretary shall solicit competitive proposals and award the contract or contracts, on the basis of price, and

(2) the Secretary has directed, as set forth in detail in such certification that—

(A) no action is to be taken to terminate or to fail to extend either the existing Planning Yard contract for the Trident class submarines or the existing Planning Yard contract for the SSN-688 Los Angeles class submarines except by reason of a breach of contract by the contractor or an insufficiency of appropriations.

(B) no action is to be taken to terminate any existing Lead Design Yard contract for the SSN-21 Seawolf class submarines or for

the SSN-688 Los Angeles class submarines, except by reason of a breach of contract by the contractor or an insufficiency of appropriations.

(C) both Electric Boat Division and Newport News Shipbuilding and Drydock Company are to have access to sufficient information concerning the design of the new attack submarine to ensure that each is capable of constructing the new attack submarine, and

(D) no action is to be taken to impair the design, engineering, construction, and maintenance competencies of either Electric Boat Division or Newport News Shipbuilding and Drydock Company to construct the new attack submarine,

then, funds appropriated in title III under the heading "SHIPBUILDING AND CONVERSION, NAVY" may not be obligated for the SSN-21 attack submarine program or for the new attack submarine program (NSSN-1 and NSSN-2).

(b) Funds referred to in subsection (a) for procurement of the lead and second vessels under the new attack submarine program may not be expended during fiscal year 1996 for the lead vessel under that program (other than for class design) unless funds are obligated or expended during such fiscal year for a contract in support of procurement of the second vessel under the program.

AMENDMENT NO. 2417

At the appropriate place in the bill, add the following new section:

SEC. . None of the funds available to the Department of Defense during fiscal year 1996 may be obligated or expended to support or finance the activities of the Defense Policy Advisory Committee on Trade.

AMENDMENT NO. 2418

On page 28 line 19, insert the following before the period:

"Provided further, That of the funds appropriated under this heading, \$45,458,000 shall be made available for the Intercooled Recuperative Turbine Engine Project."

AMENDMENT NO. 2419

At the appropriate place in the bill add the following:

SEC. . Six months after the date of enactment of this Act the General Accounting Office shall report to the Committees on Appropriations of the Senate and the House of Representatives on any changes in Department of Defense commissary access policy, including providing reservists additional or new privileges, and addressing the financial impact on the commissaries as a result of any policy changes.

AMENDMENT NO. 2420

At the appropriate place in the bill add the following:

SEC. . None of the funds made available in this Act under the heading "Procurement of Ammunition, Army" may be obligated or expended for the procurement of munitions unless such acquisition fully complies with the Competition in Contracting Act.

AMENDMENT NO. 2421

Strike on page 49 between lines 3-12, Sec. 8024, and insert in lieu thereof:

"SEC. 8024. During the current fiscal year, none of the funds available to the Department of Defense may be used to procure or acquire (1) defensive handguns unless such handguns are the M9 or M11 9mm Department of Defense standard handguns, or (2) offensive handguns except for the Special Operations Forces: *Provided*, That the foregoing shall not apply to handguns and ammunition for marksmanship competitions."

AMENDMENT NO. 2422

(Purpose: Rescission of Berthing Barges)

On page 71, line 12 insert:

"Shipbuilding and Conversion, Navy, 1993/1997", \$32,804,000.

AMENDMENT NO. 2423

(Purpose: Rescission of Berthing Barges)

On page 71, line 12 insert:

"Shipbuilding and Conversion, Navy, 1993/1997", \$32,804,000.

"Shipbuilding and Conversion, Navy, 1994/1998", \$19,911,000.

AMENDMENT NO. 2424

(Purpose: Rescission of Berthing Barges)

On page 71, line 12 insert:

"Shipbuilding and Conversion, Navy, 1994/1998", \$19,911,000.

The PRESIDING OFFICER. Who yields time?

AMENDMENT NO. 2404

Mr. WELLSTONE. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Minnesota has 1 minute and 31 seconds.

Mr. WELLSTONE. Mr. President, I yield the remainder of my time to the Senator from North Dakota and ask unanimous consent that he be included as an original cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, I rise to support the amendment that is offered by my colleague from Minnesota. It is important that we all understand what he has offered.

What the Senator from Minnesota is saying is that we should not buy things for which the Pentagon has not asked. We should not spend money that the Department of Defense has not requested. We should not decide to be wild-eyed big spenders when it comes to this bill for things that no one has said we need.

This bill spends \$7 billion more than the Department of Defense asked for on trucks, planes, ships, helicopters, submarines—all for things for which the Pentagon has not asked.

It is strange to me that after all of these months agonizing about the debt and the deficit, and saying we must tighten our belts when it comes to health care for seniors, education for kids from middle-income families, nutrition for poor kids, all of a sudden, when this bill comes to the floor of the Senate, not a word, not one word about the Federal deficit. In fact, just the opposite. We are told that we should spend money we do not have on things we do not need. We should spend \$7 billion more than the Secretary of Defense has asked this Congress for.

Now, why not a word about the Federal budget deficit? What is the biggest threat to this country? In my judgment, debt and deficit. That is why I support the amendment offered by the Senator from Minnesota to cut \$3.2 billion back to the President's request.

The PRESIDING OFFICER. All time has expired of the Senator from Minnesota.

The Senator from Alaska now has 2 minutes and 54 seconds.

Mr. STEVENS. Mr. President, I told the Senator from Minnesota if he needed additional time I would be happy to

yield to him. I will be happy to let him use the remainder of my time.

Mr. WELLSTONE. Mr. President, I thank the Senator from Alaska for his graciousness. I think that we have had the debate and I do not need any more time.

Mr. STEVENS. I yield back the remainder of my time.

The PRESIDING OFFICER. All time has expired.

Mr. STEVENS. I move to table the amendment under the same arrangement—we have 2 minutes on each side before the vote.

I ask unanimous consent on that.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. I ask for the yeas and nays now, too.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. STEVENS. I now ask the amendment be set aside until we vote on amendments sometime around 9.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BINGAMAN addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

AMENDMENT NO. 2403

Mr. BINGAMAN. Mr. President, I earlier sent an amendment to the desk. I ask that it be called up at this time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the amendment No. 2403.

The legislative clerk read as follows:

The Senator from New Mexico [Mr. BINGAMAN] proposes an amendment numbered 2403.

Mr. BINGAMAN. Mr. President, let me just state for my colleagues the purpose for this amendment, and it is stated here on the amendment that I submitted. The purpose is—

Let me first clarify, Mr. President. Is there any time agreement on this?

The PRESIDING OFFICER. There is no time agreement at this time.

Mr. BINGAMAN. There is no time agreement. I advise the Senator from Alaska it will take 10 to 15 minutes on my part and whatever time the Senator would ask. I do not need a time agreement.

Mr. STEVENS. That is perfectly understandable. I would be pleased to put one down so people would know they should come in a period of time.

Mr. BINGAMAN. We can indicate it will take no more than 30 minutes equally divided.

Is that reasonable? That would get us to 9.

Mr. STEVENS. The Senator will have 15 minutes and we have 5 on this side; and a 20-minute time limit.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, the purpose, as it is stated here in the amendment, is to reduce funding for the TOW 2B by \$20 million; the Hellfire

II by \$40 million; and the CBU-87 by \$30 million, which are munitions that have been determined by the inspector general of the Department of Defense as being excess to the requirements of the Armed Forces.

Mr. President, this issue first came to our attention because Ed McGaffigan, who works on defense issues for me, was reading Defense Week, the July 17 edition of Defense Week. There is an article on the front page of that publication. By way of compliment to them, I think they do good work in keeping us apprised of defense issues.

This headline says, "IG"—or inspector general—says "Services Miscount Future Munitions Needs by \$15 Billion." The first sentence of the article says:

The Army, Navy and Air Force have overstated by \$15.5 billion their respective requirements for anti-armor munitions planned for purchase between fiscal years 1996 and beyond 2001, the Pentagon's Inspector General has concluded in a new classified report.

Mr. President, obviously that report, since it is classified, I am not in a position to go into the detail of that report, except to recount what the press has reported.

But the simple fact is, we have got three types of munitions, two types of missiles, and then in addition to the two types of missiles, we have got the bombs.

So let me just say very briefly the TOW 2B is a ground-to-ground missile which is intended to target tanks. The Hellfire is an air-to-ground missile that is shot from helicopters, again targeting tanks. And then the CBU-87, of course, is a bomb. It is a combined-effect munitions bomb.

The simple fact is, Mr. President, that none of these items were requested by the Department of Defense in the budget they sent to us. None of these items are in the so-called future-year defense plan. Always before in the earlier amendments that I have heard offered here on this bill, people say, well, maybe it is not requested for next year but it is requested for a future year. None of these are requested for any future year, even 6 years out. None of these are needed, according to the inspector general of the Department of Defense.

So, let me just briefly say that the inspector general has done a study of this in depth. Congress received that study on June 29. And the report summarizes a whole series of ongoing work that the inspector general has done. The report essentially says that each of the Services, especially the Army, but each of them, has or is planning to have more munitions than it needs to carry out its responsibilities under the two-major-regional-contingency scenario which is presently what we are planning for in the Bottom-Up Review.

The reason is that the Army was planning to fight the war by itself and planning to kill every piece of armor in

both theaters in these two regional contingencies.

Other Services were also planning to fight the war essentially by themselves. When the capabilities of the other Services are taken into account, we are planning to buy much more in munitions than we need. But even the Department of Defense is not planning to buy these. They did not request them. Once we saw this article, we wrote a letter to the inspector general, on July 27, to ask whether the add-ons in the bill, which, as I said before several times, were not requested, whether those add-ons were consistent with the inspector general's findings.

I received an answer on the 2d of August. Let me read the second paragraph of that letter to you, Mr. President. This is the inspector general of the Department of Defense saying—this is a quotation:

Based on use of the fiscal year 1996 requirements data, the Army and Air Force inventories of TOW 2B missiles and CBU-87 bombs significantly exceed the amounts of those two munitions that the Services project they would use in two major regional contingencies. The Army inventory of Hellfire II missiles will equal the amount of munitions that would be expended in the contingencies after the Army received the missiles currently on contract. Further, the Services have significant quantities of previous configurations of the TOW and Hellfire missile systems, as well as significant quantities of cluster bombs that were replaced by CBU-87 bombs. We are not aware of any compelling need to procure more of those weapons than the Department requested for fiscal year 1996.

Mr. President, the inspector general says they are not aware of any compelling need to procure what is in this bill and what my amendment would propose to delete.

Mr. President, I cannot think of a clearer example for this Senate to deal with than the one that is presented by this amendment. It is a question of whether the Senate is willing to save \$90 million of taxpayer money by refusing to spend it on excess munitions that the Pentagon says they do not need, that the inspector general of the Pentagon says they do not need, that nobody has requested, and that have been added into this bill by the subcommittee as they marked up the bill.

I think the only responsible course is to adopt the amendment which I am offering here and to cancel the planned expenditure of this \$90 million, Mr. President. The defense bill cannot be seen by the American people as a jobs bill. We cannot just look to which Senator has some defense contractor that they want to do a favor for. We do not need these munitions. There is no justification for buying them. We should not use hard-earned taxpayer dollars to purchase these munitions. And I know of no argument to the contrary.

Mr. President, I ask how much of my time remains?

The PRESIDING OFFICER. The Senator from New Mexico has 7 minutes 35 seconds.

Mr. BINGAMAN. Mr. President, let me reserve the remainder of my time and allow the Senator from Alaska, or anybody else, to respond, if they would like.

The PRESIDING OFFICER. The Senator from Alaska controls 5 minutes.

Mr. STEVENS. Mr. President, in our meetings, and as the Senator from Hawaii indicated, we met with each one of the Service chiefs. They highlighted their priorities. Munitions was the top priority in terms of readiness. This has been proven to be a very effective munition. It was vital in the gulf war. The systems were fully included in the authorization bill from the Armed Services Committee, and we have followed precisely the authorization contained in that bill. The Pentagon has not conveyed to us any objection to these items. To the contrary, we understood that they were sought by the Service chiefs.

Mr. KYL addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Will the Senator yield?

Mr. President, the Senator is absolutely correct. We have been contacted by the acquisition people in the Army, and they are fully supportive—for one reason; they support \$5 million of this request because of the need for what they call a cold weather fix.

Some of these weapons had been damaged as a result of storage and cold weather, and there is a retrofit required for that.

The other \$15 million they believe is essential for the replenishment of those that eventually have to be retired. It is also important to note that the Army will be providing TOW 2B's to the U.S. Marine Corps. While the focus is on the Army, we have to remember some of these missiles will be going to the U.S. Marine Corps.

As the Senator from Alaska said, this is the premier tank killer in the inventory. There is not anything like it. It is the best in the world. Clearly, since it is the desire to use the \$20 million as indicated, I believe the committee's position ought to be supported.

I thank the chairman for yielding.

Mr. STEVENS. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator from Alaska has 3 minutes and 5 seconds.

Mr. STEVENS. Mr. President, I say to my friend, I am prepared to yield back the remainder of my time, but I leave it to the Senator to finish his time if he wishes.

Mr. BINGAMAN addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, let me just take another few minutes to conclude my argument in favor of this amendment, which I do think is a very straightforward amendment.

The Senator from Arizona says he has been contacted by acquisition people in the Army who favor procurement of more of these weapons. I am not fa-

miliar with who might have contacted him. All I know is the Department of Defense did not request them; the Inspector General of the Department of Defense says they are not needed. There is no indication that we received in the Armed Services Committee that they are in any way needed. I grant you they are authorized in the authorization bill, and that is just as egregious a mistake as appropriating the money for them is in this bill.

I think there is really no argument that I know of that any of the Services feel they have an insufficient quantity of the TOW 2B or the Hellfire or this bomb. So I think, clearly, the need is not there.

Let me also say, I do not disagree with anything that the Senator from Alaska or the Senator from Arizona said about the value of these weapons. There is no dispute about that. They are excellent missiles. They are excellent bombs. The only question is, when are we going to quit buying them? How many do we have to have in excess? How big does the inventory have to be before we finally say, "Fine, we have plenty, we have enough to fight two regional conflicts at the same time," which is a fairly major statement in and of itself.

Mr. President, at some point, we have to be honest with the American people and say, "As stewards of your tax money, we are going to only spend that money on things that are needed." These are not needed. That is the simple fact of it. They are not requested. They are not needed. They are not anywhere in this 6-year defense plan that the Department of Defense has sent to us. As I say, I cannot go into much more detail about what is in the classified report that we have on this issue from the Inspector General. Quite frankly, I think it is classified because the facts contained in it would probably be an embarrassment to the Department. For whatever reason, it is classified.

We do have one page which is unclassified from the report. Let me just make reference to that. It says in here:

The Services' processes for determining quantitative requirements for munitions to defeat armored targets needed improvement.

There is a euphemism if you ever heard a euphemism, Mr. President. Defense Week says that the IG report says that they have overestimated their need by \$15 billion. This unclassified page from the report says that their ways of determining quantitative requirements needed improvement.

I agree, they do need improvement.

They say here that the Services' processes needed improvement because

* * * the Services used incorrect quantities of threat systems that were in the hands of potential enemies.

That is, they have misassessed potential threats. They say that their processes need improvement because of their uncoordinated shares of threat systems that each Service would be responsible for defeating.

To put that in plain English, Mr. President, we had each of the Services preparing to fight the war by themselves. When the Department of Defense finally stepped in and said, "Let's audit this situation, let's look at what the whole inventory is," they said, "We do not need the Army to have enough to fight the next war, and the Air Force enough to fight the next war, and the Navy enough to fight the next war. We just need enough to fight the next war." So that is basically the conclusion.

I will cite one other statement in this unclassified page from the classified report. It says:

As reported in our separate audit reports to the Army, the Navy, the Air Force and the Marine Corps, the above conditions resulted in the Services overstating their quantitative requirements for antiarmor munitions by more than \$15.5 billion.

Mr. President, it is unconscionable for us to sit here and add more money for munitions that are not requested, that are not needed, that we have excess inventories of already. And that is precisely what this bill calls for today.

My amendment will correct that. It will save the taxpayers of the country \$90 million. I know \$90 million does not sound like a lot of money in Washington, but it is a reasonable amount of money for most Americans. And most Americans would say, "If you don't need to spend that \$90 million for additional missiles and bombs of this type, then why should you spend it?" And that is basically the point of my amendment. I hope very much my colleagues will support the amendment.

If the Senator from Alaska is ready to yield back his time, then I will yield back mine.

Mr. President, I address a question, if I can, to the Senator from Alaska and ask if we can have the same agreement with regard to the 2 minutes of explanation on both sides, once we do have a few Senators, if he is to stack the votes.

Mr. STEVENS. That will be my request, and I am prepared to yield back the remainder of my time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BINGAMAN. Mr. President, I yield the remainder of my time.

The PRESIDING OFFICER. All time is yielded back.

Mr. STEVENS. I make the motion to table the amendment on the same basis as before, 2 minutes on each side. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. STEVENS. Mr. President, I ask unanimous consent that that amendment be set aside so we can proceed to Senator HARKIN's amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2410

Mr. HARKIN. I call up amendment No. 2410 and ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows: The Senator from Iowa [Mr. HARKIN], for himself and Mrs. BOXER, proposes an amendment numbered 2410.

Mr. HARKIN. Mr. President, I say to the manager of the bill, this is the one that was agreed upon.

Mr. STEVENS. If the Senator wishes to make a brief explanation, we are pleased to accept this amendment.

Mr. HARKIN. Mr. President, this amendment maintains for another year the existing provision placed into law last year as a part of the fiscal year 1995 Defense appropriations bill. It provides that the Federal Government share of the cost of a company's operation should not include its share of anyone's pay in excess of \$250,000. It does not stop a company from paying an executive more than \$250,000. There are many costs that are not allowable: hunting lodges, alcoholic beverages, etcetera, perhaps 50 disallowable items.

This amendment says that in these difficult budget times, one of the limits should be on employee compensation over \$250,000.

In an analysis done by DOD several years ago, it showed that DOD alone very often paid more than a million dollars for just DOD's share of one executive's work.

Now, we see that the Pentagon may be picking up \$31 million in bonuses and other benefits to top executives of Lockheed and Martin-Marietta because of the deals made regarding their merger. Why should the Federal Government be paying \$31 million of this \$90 million cost. If the stockholders are willing to make those payments, that is one thing. For the taxpayers to make them when we are cutting so many needed programs would be outrageous.

Let me say it again. Children are not getting the basics and the Defense Department may pay millions in gold-laden gifts to the executives. That should not be a taxpayer's expenses.

Our budget are getting tighter. I have often fought for fairly small sums for what I view as very necessary Government expenditures as we all have. And, our ability to fund programs needed to provide for needy children, the disabled and elderly is being cut to the bone.

I urge that the amendment be agreed to.

Mrs. BOXER. Mr. President, this amendment will cap taxpayer reimbursement for the salaries of defense contractor executives at \$250,000 per year for contracts consummated in fiscal year 1996. It will extend a similar provision contained in the fiscal year 1995 Defense Appropriation Act.

I began investigating this issue after hearing reports of multimillion-dollar bonuses awarded as a result of the Lockheed-Martin Marietta merger. As a result of that merger, \$92 million in bonuses will be awarded—\$31 million of which will be paid by the taxpayers.

I think it is wrong that corporate executives make so much money at a time when their employees are struggling just to make ends meet. What makes it even worse in this case is that these multimillion-dollar bonuses were given as a reward for a business deal resulting in 12,000 layoffs nationwide.

So the taxpayers buy rich executives \$31 million worth of champagne and caviar, while laid-off defense workers struggle just to feed their families. I think the defense industry employees—in California and across their Nation—are the ones who deserve a bonus. The CEO's and multimillionaire executives are doing just fine.

As I investigated this issue further, I discovered that the problem was not limited to mergers or bonuses. Top defense industry executives routinely earn more than \$1 million per year—sometimes even more than \$5 million. And the taxpayers pick up most of the tab.

This amendment sets a \$250,000 maximum for compensation that is reimbursable by the taxpayers. It applies to all forms of compensation including bonuses and salary.

It is important to understand that my bill sets no limit on the compensation that an executive can receive. That is an issue best left to the stockholders and directors of each company. If the stockholders believe that the Lockheed-Martin merger was such a fine business decision that they want to award their CEO a \$9 million bonus—or for that matter a \$90 million bonus—that is fine with me. All my legislation would do is stop them from passing the check to the taxpayers.

Mr. STEVENS. Mr. President, this was the subject of the bill last year. We had several comments at the time. I am not sure the House is willing to accept it. We will take it to conference. I ask for a vote on the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2410) was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote.

Mr. HARKIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2401

(Purpose: To strike \$70,000,000 appropriated for Research, Development, Test and Evaluation, Defense-Wide, for support technologies/follow-on technologies advanced development, specifically provided for the Space-Based Laser Program)

Mr. HARKIN. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Iowa [Mr. HARKIN] proposes an amendment numbered 2401.

On page 29, line 12, strike out "\$9,196,784,000" and insert in lieu thereof "\$9,126,784,000".

Mr. STEVENS. Would the Senator consider a 20-minute time agreement, equally divided?

Mr. HARKIN. Make it 30. If I do not use it all, I will yield my time.

Mr. STEVENS. I ask unanimous consent that there be 15 minutes on the Senator's side and 5 minutes on our side on this amendment before we have action on or in relation to the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. If the Senator will yield, that means we should be voting sometime around 5 minutes after 9. It will be my intention at that time to proceed in order to call up the amendments that have been stacked.

Mr. HARKIN. If the Senator will yield, I have one other amendment after this. We can do it quickly. It will be shorter than this one.

Mr. STEVENS. I will withdraw the request at this time, and we will see what happens. We should vote around 9:15.

Mr. HARKIN. Mr. President, well, it is back again, and I am not talking about "Freddy from Elm Street," I am talking about star wars. Let me point out that we had a \$7 billion add-on on this, as you know, more than what the Pentagon wanted. The amendment offered by Senator KOHL, as you know, last week failed on a 51 to 48 vote to take out all of that \$7 billion add-on. But it is my opinion that we should at least cut some of the most egregious add-ons, and perhaps the most egregious add-on is the one that puts money in for a star wars weapons system called the space-based laser.

I am talking about star wars, Mr. President, a system of at least 12 space stations upon each of which is mounted a huge laser weapon. This laser is powered by combustion of hydrogen and fluorine. It is a chemical laser. It is not an x-ray laser, not a neutral particle-beam laser, and it is not a space-based kinetic kill vehicle. It is a concentrated beam of light.

This laser beam of concentrated light is designed to produce 2.2 million watts of energy. It is this Nation's most powerful and, by far, most expensive military laser on the design mode. Yet, it is obviously not completely developed, experts say. The needed power level for this weapon to work is somewhere between 5 and 10 million watts, or by a factor of 5 over what the design is of this one.

The light produced by this laser is not visible to the human eye but is in the infrared part of the electromagnetic spectrum.

This infrared light is effective only in space. It can be used only in space because the infrared light can penetrate the Earth's atmosphere in space only to a height of 5 or 6 miles above the ground.

You can think of it as a giant, deadly flashlight, able to zap up to 100 missiles with the amount of fuel on board, or zap a maximum of 5 to 10 theater-range

missiles launched simultaneously, or maybe zap 15 to 20 ICBM's launched simultaneously. To collect the light from each laser, there is a reflective mirror of more than 35 feet in diameter. To give an idea of the size of that, it would be just about the size perhaps to fit in this Senate Chamber.

This mirror, which collects the laser beam and focuses, is flexible. So you have to think of this laser as a flashlight held in one position steadily, pointing into a large mirror. The mirror can pivot to reflect the light from the laser toward the target. So the mirror collects the light, focuses the light into a beam, and points the beam to a target hundreds or thousands of miles away and, of course, that target is moving.

Originally, this mirror had very heavy systems of cooling water to prevent the extreme heat of the laser from shattering the reflective material. But one item developed in the last few years was coatings that make the mirrors so reflective that they need no cooling.

In fact, these reflective coatings for the mirror were actually tested almost exactly a year ago.

Daniel R. Wildt, an advanced systems manager at TRW, who works on the space-based laser, was quoted in the New York Times as saying about the new reflective coating, "What this means is immense weight savings. It is a breakthrough." The Times article goes on to say that it would take one or two large rockets to loft each laser battle station into orbit. And a dozen or so of these would be needed. Experts say such a complex of 12 orbiting battle stations might cost about \$30 billion to \$48 billion.

Mr. President, if this all sounds kind of familiar, yes, we have talked about it before, back during the time when President Reagan was in office. We talked about putting all of these battle stations up and all of these lasers and they are going to zap all these missiles. We finally got off of that. But it is still alive. That snake has not been killed yet, and it is coming back again. That is what this amendment seeks to do, to take out that \$70 million.

Think about it as just the first step toward a \$30 billion expenditure of money—\$30 billion that we do not have, to add to the national debt.

Are we serious about committing this kind of money to a weapons system that may or may not work?

The Armed Services Committee in its report notes that of the Pentagon ballistic missile requests, only 6 percent is allocated to advanced follow-on technology development.

The committee then proceeds to recommend that every bit of this \$70 million that goes to support technology should go into the space-based laser program. I find it a little hard to believe that of all of the support technologies, all of it is shuffled into space-based laser. Nothing for any other kind of program is given an increase—just

this. Concerning the space-based laser, the committee directs the Secretary of Defense to "reinvigorate this program and to ensure that sufficient funds are provided in the outyears to continue a robust effort."

To those who think this may be a little bit, this \$70 million, for a little experiment, read the language. This is the first step, and next year even more and more toward the very thing that this Congress said no to over 10 years ago, even during the height of the cold war. But now that the Soviet Union is no threat, well, we are still going to go ahead with it.

Well, my amendment would delete this \$70 million. Again, I do not think it is just \$70 million we are talking about. If we proceed, we are talking about starting down that road of spending \$30 billion for space-based lasers.

Well, I have five reasons why I think this is a bad idea.

First, the \$30 billion cost is way too much for us to afford. We simply cannot afford it, given the kinds of threats that our country faces today.

Second, space-based lasers are not cost effective. They are not cost effective, No. 1, because the threat from the Soviet Union has all but disappeared. Long-range Chinese missiles are few in number and not considered threatening. Only rogue nations can constitute the present threat. They may or may not have the capability of launching long-range weapons, but there are other ways to get nuclear warheads into the United States, such as smuggling them in, or by a cruise missile, or on a submarine. That would be much more likely for a rogue nation than launching a long-range ballistic missile.

The intelligence community cannot identify threats of long-range ballistic missiles to the continental United States within the next 10 to 15 years. A lot can be done in those years to provide other safeguards.

The third reason this is a bad spending of money is that space-based laser systems violate article V of the 1972 ABM Treaty. This article V specifically bans any antiballistic weapon from being based in space, period. That is what doomed it before. And yet, I cannot imagine that right now we are going down that road one more time.

The fourth reason this is a bad expenditure of money is the space-based laser just may not work. There are a lot of problems of great technological difficulty.

The tests of the chemical laser to date have consisted of only tests on the ground, with the laser held in position and not free to move as in space. The laser has only been fired in very short bursts. Components act differently in space. An enormous ground-based complex that is used to fire the laser is yet to be packaged into a much smaller space-based system.

The Large Aperture Mirror Program and the Large Obstacle Segment have

been claimed to be easily built and assembled in space, but this is not true because the Hubble telescope has shown that large mirrors can have flaws and are not totally testable before operation in space.

After only a few seconds of firing of this chemical laser, the entire space-based laser battle station will be so violently shaken by the chemical reaction used to make the laser beam that it would no longer be aligned for multiple firings.

Again, this has been the dream of some Star Wars' enthusiasts for a long time. I think they saw too many of the Star Wars movies. I like Star Wars movies. I happen to be a science fiction buff myself. I read science fiction. I like those movies.

Somebody down there thinks we can build those things now that send out the beam of light and zaps things. Theoretically, it is possible and maybe sometime 200 or 300 years from now, God forbid, maybe the weapons will be used. Now it is a ridiculous waste of money to try to build this space-based laser system.

Using a much smaller system, the Pentagon has shown that missile targets can be acquired and tracked from space, and that a small laser can be fired accurately. The problem is complicated enormously by the size and the multiplicity of targets in using this big mirror in space. Millions of lines of computer code must be written. One little mistake and that would spell the end.

The Star LITE option test has shown that the key components can fit together, but it does not compare with constructing and assembling, in space, this huge system.

Mr. President, it is not worthy, not worth \$70 million, to continue down the road of building and trying to test a space-based laser system. It is too costly, violates the ABM Treaty, and it is not cost effective, considering the threats that face us in the next 10-15 years.

Mr. President, there really is one final argument why this expenditure is so ridiculous. In the beginning of my remarks I mentioned that there had been designed a reflective coating material that they will put on this big mirror so you do not have to use all the cooling system, so when the laser beam hits the mirror and is reflected, this reflective mirror will not heat up as much.

They have designed that and tested it. They say now we have solved the problems of all the weight that goes on in this big mirror in space. Well, Mr. President, it is only a matter of time before anyone who wishes to launch an ICBM will just coat that ICBM with the same reflective material so the laser hits the mirror—assuming they have it fixed up—that mirror, thousands of miles away, sends the beam down to the missile with the same reflective material, and the beam just bounces.

It is the same old story. It has been true since time immemorial. Build an offensive weapon system, costs a lot of money, and someone can usually build a deterrent or something to stop that at much less money. That is true here.

So I think we ought to save the \$70 million this year and save us from once again going down that road of spending \$30 to \$48 billion for this space-based laser system.

Mr. STEVENS. I yield 2 minutes to the Senator from Arizona.

Mr. KYL. There are points to be made in a program that the United States has invested over \$1 billion over the last decade. It is one of the most successful programs that has ever been run by the Defense Department in terms of meeting schedule and cost rules.

In fact, the GAO has indicated that it has met every one of the technical milestones. I really do not think anybody has criticized this program on technical grounds. In fact, the Senator from Iowa has discussed some of the really unique and highly technical aspects of the program.

I am sure he would agree that there have been great strides made in the development of this kind of a program, although he has other objections to the expenditure of this money.

In my view, Mr. President, it is important to have a very highly leveraged, highly technical kind of program like this. We will not deploy this kind of a program, perhaps ever, but at least not in the foreseeable future.

It is important to have this kind of a program, the only one of its kind, the only directed energy program, that still exists in our arsenal, as one of those hedges. That is frankly what this program is at this time.

The 70 million in funding here does not provide any kind of deployment decision or anything of that sort. We are just in the research stage. It keeps that research alive. So it would be a tragedy to kill this program after the amount of money that has been spent and the technology that has been developed.

Quickly, to respond to the arguments made by the Senator from Iowa. The notion that it will cost \$30 billion to deploy—of course, nobody is talking about deployment. We are not close to a deployment decision. This is simply ongoing technology. I do not think that is an argument against the expenditure of this research money.

Second, it is not cost effective. It is too premature to evaluate that. We all know that a boost phase intercept is the way to go. We would like to have that. This is the only boost phase intercept program we are talking about now, and it is not something that ought to be eliminated. We would be left with nothing, in that event.

To the third argument that it is an ABM Treaty violation, I know the Senator from Iowa knows there is nothing in the ABM Treaty that precludes us from developing or from researching weapons of this sort. Obviously, we

would face that question if and when we got ready to demonstrate or deploy it. We are not at that stage for many, many years.

The fourth argument, it may not work. Again, Mr. President, no one has ever criticized this program on technical grounds. The GAO, as I said, has said it is one of the best run programs, and we are a long way from having exactly what we need to actually deploy this kind of a program.

Finally, to the idea of the Senator from Iowa that the Russians or somebody else could make the same kind of reflective material on their missiles, their ICBM's, and defeat the laser, he indicated he was a reader of science fiction, and that is pretty good science fiction, but nobody figured how to do that.

You have weight considerations, heat considerations. The Russians have not even discovered the same kind of material yet, so that is something, obviously, for the scientists to think about, but not a reason for us not to expend the money.

As a matter of fact, it is probably a reason to do continued research, to ensure that we could defeat any kind of similar research.

This is a very good program. We are only talking about research money. We are a long way from any decision to deploy. It is the kind of program we need as a hedge against the kind of presence that may exist now or in the future. I hope the committee's position is supported.

Mr. INOUE. I yield myself 1 minute.

Mr. President, I realize I cannot say much in a minute, but just to remind ourselves, about 30 years ago as a result of the debate of this nature the Congress appropriated a few dollars, a few million dollars, and as a result came up with this business called laser.

Up until then, lasers were just theory. Since then, the laser has been helpful in medicine, in mathematics—it has been a boon for mankind.

I just hope that we will not have to use this in warfare. As I have indicated, as others have, we have not arrived at the millennium, so sadly we must prepare ourselves that if such a time should come, we are prepared.

This is for research; it is not to build the systems. I hope that my colleagues will oppose this amendment.

Mr. STEVENS. Is there time remaining?

The PRESIDING OFFICER. The Senator from Alaska has 47 seconds and the Senator from Iowa has 2 minutes and 27 seconds.

Mr. STEVENS. I will use my 47 seconds by saying I hope everyone keeps in mind we are talking about a question of pursuing a promising technology.

This is strictly research. There is no money procurement. This is strictly the use of a facility that costs us \$1 billion, and this is \$70 million to see if we can demonstrate some of the technology—nothing in space. It is all on

the ground as far as this phase is concerned.

Mr. HARKIN. Mr. President, I will not take all my time. I will just ask unanimous consent to have printed at this point an article from the New York Times stating that, "From fantasy to facts, space-based laser nearly ready to fly." It says:

"Like it or hate it, this is reality," a weapons expert says. "This is not theoretical."

I am telling you, they are going down the road. We are going to build this. I have nothing bad to say about lasers. They are used in medicine and everything else. That is not what this is about. This is about building a space-based laser. It is going to cost billions of dollars, putting battle stations in space. We have been through this debate in the past and I do not think any more needs to be said about it. We should put our money someplace else.

Mr. President, I yield the remainder of my time, and I ask unanimous consent to have the entire article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FROM FANTASY TO FACT: SPACE-BASED LASER
NEARLY READY TO FLY
(By William J. Broad)

It's back. Adored by military contractors and lambasted by civilian skeptics, fired into the political stratosphere by President Ronald Reagan and dragged back to earth by the Clinton Administration, "Star Wars" is prominent again as the newly empowered Republicans began to push for deployment of a national system of antimissile defense and gird for ideological warfare with Democrats on the topic of placing arms in the heavens.

Surprisingly, this turn in the nation's 35-year, love-hate relationship with antimissile research finds the technology less speculative than before. For the first time, it is mature enough that one class of advanced weapons could be put into space relatively quickly, a fact that is likely to electrify this round of the antimissile debate.

The weapon is the chemical laser, which gets its energy from the combustion of fuels similar to those in rocket engines. Though much of its energy is lost as heat, significant amounts can be extracted by mirrors and resonant chambers, emerging as a concentrated beam of light that in theory can flash across space to zap speeding missiles thousands of miles away.

In particular, the new maturity centers on a chemical laser known as Alpha, which the Federal Government has quietly been developing for more than 15 years at a cost of about \$1 billion. In a scheduled valley near San Juan Capistrano, Calif., the sprawling test site for Alpha includes a 50-foot high chamber that mimics the vacuum of space.

Angelo M. Codevilla, a senior research fellow at the Hoover Institution at Stanford University in California and a former staffer on the Senate Intelligence Committee who helped get Alpha started in 1978, said the device was all but ready for deployment in orbit to defend the United States.

"Like it or hate it, this is real," said Mr. Codevilla, who would like to see a dozen or so laser battle stations circling the earth. "It's not theoretical. It's not some scientist fantasizing about X-ray lasers."

But critics deride the whole idea, saying a fleet of Alpha type weapons in orbit would violate the Antiballistic Missile Treaty

which was signed in 1972 by the United States and the Soviet Union and bars the deployment of antimissile arms in space. The treaty allows the orbital testing of research lasers as long as they are too weak to shoot down long-range missiles. But critics say Alpha, even as a research tool, is so powerful it would fail this legal test and violate the treaty, thus probably touching off a political storm if testing were to advance into space.

And full-blown battle stations, critics assert, are dubious since they would fail to protect the United States completely.

"It's either too much or not enough," said John E. Pike who is in charge of space policy for the Federation of American Scientists a private group based in Washington. Ground-based interceptors are better for knocking out short-range missiles, he said, and space lasers, at best would be leaky shields against a concerted attack at long-range missiles.

"Imperfect defenses are worthless," Mr. Pike added, because the destructiveness of a single nuclear blast is so great.

Right or wrong, good or bad, Alpha is unique in the antimissile world by virtue of its staying power and steady evolution. It got started before the 1983 "Star Wars" speech in which President Reagan called for work on a way of rendering enemy missiles "impotent and obsolete," and it survived the program's subsequent ups and downs.

In 1993, the Clinton Administration declared Star Wars dead, in a move that was largely symbolic. Some programs were cut back, but the antimissile research is still being funded at about \$3 billion a year, bringing its total cost for the decade to about \$35 billion.

Alpha and allied programs, their budgets now tight, got enough money to keep evolving and growing through the rise and fall of a host of futuristic alternatives for space armaments like X-ray lasers, neutral particle beams and space-based kinetic kill vehicles. In short, Alpha is the death ray that refused to die.

"This program has survived lots and lots of turmoil because it has a very high potential payoff," said Daniel R. Wildt, an advanced systems manager at TRW Inc., Alpha's main contractor, in an interview.

The principal allure of chemical lasers is that they require no electricity drawing their power instead from simple chemical reactions. Alpha's lasing action is produced by the combustion of hydrogen and fluorine, a toxic, corrosive, yellowish gas that is the most reactive of the elements. To avoid handling problems, the fluorine is made instantly before combustion in a precursor reaction of nitrogen trifluoride, deuterium and helium.

Alpha got a slow start as Congress fought over its fate and allowed only limited funding for design studies. Mr. Reagan's 1983 speech opened the budgetary floodgates, and contractors broke ground for the Alpha test site in 1984.

The first full-scale ground tests of the lightweight laser began under tight security in December 1987, when gas was released into the combustion chamber but not ignited. An accident delayed the first firing until April 1989. The explosive zap came after a tense two-day countdown that required synchronization among a maze of fuel tanks, pipes, pumps, valves and switches, similar in some respects to a space-shuttle countdown.

The laser's beam of concentrated light is designed to produce 2.2 million watts of energy, making it the nation's most powerful military laser, experts outside the Government say. Officially, the power of the beam is secret, with contractors saying only that it is not enough to melt metal and that the energy intensity at the core of the laser is several times that of the surface of the sun.

To date, Alpha has been fired 11 times, most recently in August.

The main challenge with Alpha was to turn chemical-laser technology that had been proven on the ground into a device light enough to be launched into space. Thus, the laser is largely aluminum.

Among the laser's heavier components were its mirrors, which had ponderous systems of cooling water to prevent extreme heat from shattering them. One item developed over the past few years and tested during the August firing were coatings that make mirrors so reflective they need no cooling.

"What that means is immense weight savings," said Mr. Wildt. "It's a breakthrough." Lots of uncooled mirrors are now planned for Alpha and its affiliated systems.

Currently, the laser is being linked to a system of mirrors known as LAMP, for Large Advanced Mirror Program, its biggest circular mirror is 13-feet in diameter and the LAMP apparatus is housed in a separate vacuum chamber at the San Juan Capistrano site. LAMP is to take the raw Alpha beam and simulate how it could be focused and directed across space to hit enemy missiles.

Dr. Grant A. Hosack, who is in charge of laser programs at TRW, said budget cuts would delay the first firing of the integrated system until 1997. And retrenchments forced the cancellation of plans to keep firing and testing Alpha in the interim.

"We've had to cut back on manpower, too," Dr. Hosack said, "We've a lot of blood and guts in this. When we see the cuts so deep, it really hurts."

TRW officials said that if money were no impediment about five years would be needed to prepare a laser weapon for deployment in space. Power levels would have to rise to about 5 million to 10 million watts from the current 2 million watts, private experts say. In theory, given the optic breakthroughs and weight reductions, it would take one or two large rockets to loft a laser battle station into orbit.

Operating at a wavelength of 2.7 microns, which is in the infrared part of the electromagnetic spectrum and invisible to the human eye, an Alpha-type weapon would be effective only in space and would be able to penetrate into the earth's atmosphere no deeper than five or six miles above the ground.

"We can't start fires," said Dr. Hosack, "We kill the missiles as soon as they penetrate the cloud tops."

Promising to speed this kind of work is the resurgence of the Republicans, who have vigorously backed Star Wars from the start. Moreover, the Republican "Contract With America," a manifesto developed by Representative Newt Gingrich of Georgia and signed by more than 300 Republican House candidates before the election landslide in November, explicitly calls for the rapid deployment of antimissile arms.

The National Security Restoration Act, one of the contract's ten proposals, says the Defense Department should "develop for deployment at the earliest possible date a cost-effective, operational anti-ballistic missile defense system to protect the U.S. against ballistic missile threats." Republicans have pledged to bring the bills up for a vote in the first 100 days of the new Congress, which starts in January.

The contract does not specify whether the defense should be based on the ground or in space, but analysts note that the Republicans have always tended to back space-based systems. And Star Wars advocates argue that only a space-based system would be "cost effective," as called for in the contract.

"There's not enough money in the budget for anything else," said Frank J. Gaffney, Jr., a Pentagon official in the Reagan Ad-

ministration who now directs the Center for Security Policy, a private Washington group.

Experts say a dozen or so space-based laser battle stations might cost \$50 billion or more.

Critics contend such huge expenditures are foolish since antimissile systems are all but useless against many of the kinds of attacks that might threaten the United States now that the cold war has ended. For instance, terrorists armed with nuclear weapons would never entrust a warhead to a rocket but would most likely smuggle it into a major city, following in the footsteps of the World Trade Center bombers.

"Missiles and nuclear weapons are proliferating," Mr. Codevilla said. "It's best to defend ourselves as the technology allows. As de Gaulle used to say, 'The future lasts a long time.'"

Both foes and friends of space lasers agree that such weapons run afoul of the Anti-Ballistic Missile Treaty. Boosters of the treaty say it is a bulwark against a renewal of the nuclear arms race and should be preserved at all costs, while its detractors say it has outlived its usefulness.

"If I'm right," said Mr. Gaffney, the former Pentagon official, "we've got a problem that's not going to be resolved by arms-control agreements. We need to defend ourselves."

The PRESIDING OFFICER. All time has expired.

Mr. STEVENS. Mr. President, on the basis of the previous agreement, I ask unanimous consent for 2 minutes on each side prior to the vote on the motion to table the Harkin amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. I move to table the Harkin amendment.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. STEVENS. Mr. President, I ask that be set aside so we might hear from the Senator from Iowa.

Does the Senator have another amendment?

Mr. HARKIN. I have another amendment. This one will not be as long.

Mr. DOLE. How long?

Mr. HARKIN. Can I have 10 minutes on my side?

Mr. STEVENS. Which one is it?

Mr. HARKIN. This is the ASAT.

Mr. STEVENS. May we have an agreement, Mr. President, that the Senator can have 10 minutes on his side, 5 minutes on this side, prior to a motion to table?

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2402

Mr. HARKIN. Mr. President, I call up amendment 2402.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Iowa [Mr. HARKIN] proposes an amendment numbered 2402.

Mr. HARKIN. Mr. President, my amendment will eliminate the \$30 million added to the Pentagon request to fund the tactical antisatellite weapons program.

This is one of the most unnecessary programs that this committee has ever pulled from its pork barrel.

Mr. President, my amendment eliminates funding for the Army's kinetic energy antisatellite [ASAT] weapon program.

The Army itself tried to cancel this cold war weapon for several years.

The Bush administration continued the program, even though the Pentagon did not want it.

The Clinton administration has zeroed the program. But the Senate Armed Services Committee has included \$30 million to keep this cold war weapon alive.

My amendment would eliminate this wasteful spending on an unnecessary weapon, and save the taxpayer's money.

Proponents of ASAT weapons argue that if we build weapons to shoot down airplanes, why not build a weapon to shoot down space satellites?

Mr. President, there is a big difference between battles in the air and battles in outer space.

The debris of the battle will fall to the ground immediately after an air battle, and commercial air liners can still fly after hostilities end.

Not so in outer space.

The collision of one ASAT kinetic kill vehicle with one enemy satellite would create thousands of pieces of space junk.

The space battle debris continues to orbit the earth at speeds of 17,000 miles per hour.

At lower altitudes, from 100 to 200 miles up, air molecules will gradually slow the debris until it falls and burns up on reentry to the atmosphere.

Above 300 miles up, space debris will remain in orbit for many years.

At higher altitudes, debris can continue to orbit the Earth for decades or centuries.

Every piece of space debris is a lethal weapon, traveling at speeds of 17,000 miles an hour.

This debris could damage any rocket or satellite crossing its path.

It would be uncharted, and give no warning.

If space debris were to hit an astronaut, it would probably be fatal.

If an ASAT weapon were to be used successfully, vast orbital bands of space would be rendered unusable for years, decades, or even centuries.

This is not a theoretical conjecture.

We have examples of such debris creation from old Soviet ASAT space tests.

Several Soviet ASAT tests did create thousands of detectable pieces of junk that are still in orbit after 25 years.

The Soviet Union launched Cosmos 249 and detonated it as an ASAT weapons tests on October 29, 1968.

This explosion in space created 109 identifiable objects at the intercept altitude of 525 kilometers.

Because the Cosmos 249 ASAT was in a highly elliptical orbit, this lethal debris spends most of its time at higher altitudes.

As a result, this debris has survived longer than expected.

Today, 55 pieces of detectable junk are still orbiting the earth, 27 years after the ASAT explosion in space.

In total, 371 detectable pieces of orbiting junk still survive today from various Soviet ASAT weapons tests.

Similarly, U.S. Air Force direct ascent ASAT tests in 1985 created 285 pieces of orbiting space junk at an altitude of 350 miles.

Today, nine detectable pieces of this experiment are still in orbit, threatening peaceful TV and telephone satellites of many commercial ventures.

Near Earth space is too commercially valuable to even permit tests of ASAT weapons.

However, I agree that the military has a need to deny a rogue nation the use of a reconnaissance satellite.

Spy satellites in space can be effectively jammed, or, better yet, false information can be fed to the receiving stations.

We presently have the technology to jam and to feed false information to enemy satellite ground stations.

There is no need to shoot down a satellite in space, because it can easily be rendered ineffective or even turned to our advantage.

Jamming and spoofing an enemy satellite is certainly more cost effective than wasting money developing a cold war ASAT weapon.

Electronic counter-measures will not create the space junk that shooting down a satellite will create.

It is true that satellite reconnaissance is a vital capability in war.

But Iraq, Iran, North Korea, and any other potential enemy do not have, and will not have for many years, any satellite, much less a military reconnaissance satellite.

If any potential enemy were to start making a reconnaissance satellite, then perhaps there could be a need for an antisatellite weapon.

But the time needed for a rogue nation to make a satellite would give us the time to develop effective counter-measures.

We do not need to make this weapon now.

There is no threat, and no perceived threat.

There is a real question of just whose satellite we would be willing to destroy.

Only friendly countries have satellites in orbit now.

If time on a military reconnaissance satellite were leased to a rogue nation by a friendly country, would we really want to shoot that satellite down?

We cannot afford to waste \$30 million on such a remote possibility as Iraq, Iran, or North Korea getting access to a military reconnaissance satellite at some indefinite point in the future.

Only when the threat is apparent do we need to develop an antisatellite weapon.

So let us not waste our taxpayers' dollars on this unnecessary antisat-

ellite weapons system. Let us save the taxpayers \$30 million.

I reserve the remainder of my time.

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, I now ask unanimous consent that all amendments qualified by the 8:30 p.m. time-frame, as a result of the previous agreement be debated tonight, and that any votes ordered or in relation to the amendments or motions to occur beginning at 9:30 a.m. tomorrow, with 4 minutes equally divided for an explanation on each amendment prior to the vote, and after the third consecutive vote, the time for explanation be extended to 10 minutes equally divided on one amendment that Senator HARKIN will have—he will have 15 minutes and we will have 5 minutes—and that all votes in the voting sequence after the first vote be limited to 10 minutes in length.

That will wrap up this bill.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. STEVENS. I now yield to the Senator from Arizona for the reply to the Harkin amendment.

Mr. KYL. Thank you. I thank the chairman for yielding.

Mr. President, the first primary argument of the Senator from Iowa on this is that we have an effective antisatellite weapon, and if we have to use this, it will create space junk.

Mr. STEVENS. If the Senator will yield, I do not want to take up time. But this agreement will mean, however, that there will be four votes as soon as we finish the debate on this. Following those four votes, all other votes will occur tomorrow morning at 9:30 a.m.

Mr. KYL. Mr. President, again, this is an amendment to eliminate some of the funding for research on an antisatellite program in the event the United States should ever need that. It is a contingency program. We are not talking about deploying anything.

But the primary argument of the Senator from Iowa was that if this was ever utilized, obviously, these satellites might be blown apart and that would create space junk. I suppose that might be true, but I find that not to be a very persuasive argument that we should be denied a weapon that we would need in time of war. It is a little like lamenting the rubble that may exist after the necessary bombing of downtown Baghdad. It may be too bad that there is some rubble there, but the fact of matter is, that is a consequence of war. If we needed an antisatellite weapon, obviously that would be the last of our concerns.

As the Armed Services Committee stated in its report, the United States military has spent billions of dollars on the spectrum of multi-service and joint war-fighting space requirements. We spent billions, too, on a broad mix of space and ground-based capabilities that will serve us both in time of peace and war. In the event of a conflict, the United States would be faced by a wide array of capabilities by our potential adversaries in space and with the access to space-derived data that comes from that.

As a member of the Intelligence Committee, I am very concerned about the ability of the United States to counter these technological gains by potential adversaries as a result of the massive decontrol of the technologies of satellite weaponry and satellite reconnaissance and sensing.

These products are being sold now commercially and are being purchased around the world. The sensing and reconnaissance space-based technologies will have proliferated by the time we may be faced by an adversary, which will require that we have some capability to counter it.

If we do not continue to do the research on this kind of a program, we will be denied that capability when the time comes.

China, France, Italy, Spain, and Israel have satellite reconnaissance capability, in addition, of course, to Russia and China. India, Japan, North Korea, and other countries are moving toward developing such a capability.

As the reconnaissance and space-based technology spreads with the sale or lease to Third World countries of satellites over time, the satellites will obviously spread as well.

The funds recommended by the committee for the tactical antisatellite program would provide the United States with a contingency capability. That is all we are talking about. That would enable the United States, if necessary, to influence the use of these technologies in a conflict and to prevent the misuse or denial of space systems and access to space by the United States.

During the Persian Gulf war, the U.S. and its coalition allies had almost total domination of space and used unprecedented space-dependent military capabilities to achieve victory. Preventing the misuse or denial of space systems and access to space is vital to United States national security.

The history of the space advantage enjoyed by the United States and its coalition allies I hope will not be forgotten. Future adversaries such as a rogue nation with access to a nuclear weapon or, for that matter, a ballistic missile with a conventional payload could use space to generate a theater atmospheric disturbance, electromagnetic pulse, disrupt signal propagation and, frankly, destroy much of our military communications system.

We have to have a hedge against potential adversaries from misusing

space and causing great harm to our satellites and our critical intelligence sensors. This \$30 million in the defense bill for the tactical antisatellite contingency capability is that hedge.

So it is critical that we support the Armed Services Committee and the committee's position on this by tabling the Harkin amendment.

The PRESIDING OFFICER. Who yields time?

Mr. HARKIN. How much time remains?

The PRESIDING OFFICER. The Senator has 2 minutes and 32 seconds, and the Senator from Alaska has 32 seconds.

Mr. HARKIN. Mr. President, I will respond to my friend from Arizona again by saying first of all that the Army tried to handle this weapon several years ago. The Pentagon did not even want it during the Bush administration. The Clinton administration zeroed it out. Nobody thinks there is any necessity for this.

My friend from Arizona cannot name one rogue nation that even has a satellite, let alone the means to get it up there and keep it in orbit. No one has even the remotest possibility of doing this right now, No. 1.

Second, it is much cheaper to jam them electronically than it is to build an antisatellite weapons system and go up there and blast it out of space. We have technology right now to jam any satellite and electronically blind any of those satellites that are there. So it is much cheaper. We already have that technology.

Third, yes, I respond to my friend from Arizona by saying we have to do whatever we can to keep antisatellite weapons from outer space. I do not care who uses it. Even if we were to use them in the future, it would deny us accessibility to space.

The Senator from Arizona said to use that argument is like saying we should not bomb Baghdad, an enemy stronghold, because there would be rubble there. But that would not deny us access to a city or to an area because it all falls to the ground. But in outer space, with this junk orbiting for hundreds of years, it denies us that access to space. So while it might blast that satellite out, it also keeps us from using that availability in space either for military purposes or for domestic purposes.

So I just think this is \$30 million that we ought to save for the taxpayers.

I yield the remainder of my time.

Mr. STEVENS. I yield back our time.

The PRESIDING OFFICER. All time is yielded back.

Mr. STEVENS. I move to table the amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. STEVENS. Mr. President, I ask that this amendment be set aside and

that we proceed to vote on the first amendment, the Wellstone amendment, to reduce the proliferation level by \$3.2 million.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. The motion to table has already been made, and the yeas and nays have been ordered.

The PRESIDING OFFICER. The yeas and nays have been ordered.

Mr. WELLSTONE. Mr. President, I might ask the Senator from Alaska, I thought we would have 2 minutes. Is that correct?

Mr. STEVENS. That is correct. The Senator is entitled to his 2 minutes, if he asks for it.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 2 minutes.

Mr. WELLSTONE. I thank the Chair.

Mr. President, I say to my colleagues that back in May we had a vote that was an amendment to raise the DOD appropriations above the administration's request. That amendment was voted down 60 to 40, a bipartisan vote. Then, a week ago we had a Kohl-Grassley amendment on the authorization bill which essentially eliminated the \$7 billion, which was over the administration's request. That was the amendment. That amendment was defeated. So there were effectively 48 votes for the Kohl-Grassley amendment.

What I have done is pegged the \$6.4 billion in this appropriations bill over the administration's request, over the Chairman of Joint Chiefs of Staff, over the Pentagon's request, and I have just simply cut this in half.

So this amendment just says the Senators who have voted for this before, really a reduction, \$3.2 billion from the \$6.4 billion over what the administration requested, and this \$3.2 billion would be used solely for deficit reduction.

Mr. President, as my colleague from North Dakota said, we do not need to spend money we do not have for things we do not need. And if we are going to be serious about deficit reduction, \$3.2 billion of the \$6.4 billion over budget request is not too much to ask.

This is on behalf of myself, Senators FEINGOLD, HARKIN, SIMON, BUMPERS, and DORGAN.

Mr. STEVENS. Mr. President, regardless of what has been said, of the four bills pertaining to defense, this has the least spending, I regret to say.

I have moved to table.

I yield back the remainder of my time.

The PRESIDING OFFICER. All time has expired. The question is on agreeing to the motion to table the Wellstone amendment 2404. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Florida [Mr. MACK] is necessarily absent.

Mr. FORD. I announce that the Senator from New Jersey [Mr. BRADLEY] is absent because of illness in the family.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 56, nays 42, as follows:

[Rollcall Vote No. 389 Leg.]

YEAS—56

Abraham	Gramm	Murkowski
Ashcroft	Grams	Nickles
Bennett	Gregg	Nunn
Bond	Hatch	Packwood
Burns	Hefflin	Pressler
Campbell	Helms	Robb
Chafee	Hutchison	Roth
Coats	Inhofe	Santorum
Cochran	Inouye	Shelby
Cohen	Jeffords	Simpson
Coverdell	Johnston	Smith
Craig	Kassebaum	Snowe
D'Amato	Kempthorne	Specter
DeWine	Kyl	Stevens
Dole	Lieberman	Thomas
Domenici	Lott	Thompson
Faircloth	Lugar	Thurmond
Frist	McCain	Warner
Gorton	McConnell	

NAYS—42

Akaka	Exon	Lautenberg
Baucus	Feingold	Leahy
Biden	Feinstein	Levin
Bingaman	Ford	Mikulski
Boxer	Glenn	Moseley-Braun
Breaux	Graham	Moynihan
Brown	Grassley	Murray
Bryan	Harkin	Pell
Bumpers	Hatfield	Pryor
Byrd	Hollings	Reid
Conrad	Kennedy	Rockefeller
Daschle	Kerrey	Sarbanes
Dodd	Kerry	Simon
Dorgan	Kohl	Wellstone

NOT VOTING—2

Bradley Mack

The motion to table the amendment (No. 2404) was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote by which the motion was agreed to.

Mr. INOUE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2403

Mr. STEVENS. Mr. President, the next amendment is a Bingaman amendment. Once again, the Senator from New Mexico has 2 minutes to explain this amendment.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, this is a very straightforward amendment to cut \$90 million from the bill. This was added to fund three antiarmor munitions. There is \$20 million for the TOW 2B antiarmor missile, \$40 million for the Hellfire II, and \$30 million for the CBU-87 combined-effect munitions bomb.

These three munitions have one thing in common, Mr. President. That is: There was no money requested for them in this 1996 defense budget; there was no money requested for them in any of the next 6 years or any time, to our knowledge. The inspector general has issued a report and sent us a letter indicating that they are not needed; and they are excess.

Let me read one short paragraph from the report. It says:

Based on . . . the requirements data, the Army and Air Force inventories of TOW 2B's missiles and CBU-87 bombs significantly exceed the amounts of those two munitions that the services project they would use in two major regional contingencies.

The same thing is said down here about the Hellfire II.

Mr. President, this is a very clear choice. People are choosing between the taxpayers of the country and a few defense contractors. There is no need for these weapons.

In some of the earlier amendments we have dealt with, the argument has been made that maybe they are not asked for next year, but sometime, 5, 6 years from now, the Department would like to have them. These are not requested at any time. They are excess. We do not need them. We have enough. If there has ever been an amendment where people have a clear choice between the taxpayer and a few defense contractors, this is the amendment. I hope the Senate will not table this amendment and will vote to save this \$90 million.

I yield the floor, Mr. President.

Mr. STEVENS. Mr. President, these are the three most effective munitions. The Chiefs of Staff, when they met with us, put these munitions as their top priority. This is funding a specific authorization in the authorization bill which we will approve in September.

I already moved to table and have asked for the yeas and nays.

I yield back the remainder of my time.

The PRESIDING OFFICER. The yeas and nays have been ordered. The question is on agreeing to the motion to lay on the table the amendment No. 2403. The clerk will call the roll.

The legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Florida [Mr. MACK] is necessarily absent.

Mr. FORD. I announce that the Senator from New Jersey [Mr. BRADLEY] is absent because of illness in the family.

The PRESIDING OFFICER (Mr. SANTORUM). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 59, nays 39, as follows:

[Rollcall Vote No. 390 Leg.]

YEAS—59

Abraham	Feinstein	Lugar
Ashcroft	Frist	McCain
Bennett	Gorton	McConnell
Bond	Gramm	Murkowski
Breaux	Grams	Nickles
Brown	Grassley	Packwood
Burns	Gregg	Pressler
Byrd	Hatch	Rockefeller
Campbell	Hefflin	Roth
Chafee	Helms	Santorum
Coats	Hollings	Shelby
Cochran	Hutchison	Simpson
Cohen	Inhofe	Smith
Coverdell	Inouye	Specter
Craig	Johnston	Stevens
D'Amato	Kassebaum	Thomas
DeWine	Kempthorne	Thompson
Dole	Kyl	Thurmond
Domenici	Lieberman	Warner
Faircloth	Lott	

NAYS—39

Akaka	Ford	Mikulski
Baucus	Glenn	Moseley-Braun
Biden	Graham	Moynihan
Bingaman	Harkin	Murray
Boxer	Hatfield	Nunn
Bryan	Jeffords	Pell
Bumpers	Kennedy	Pryor
Conrad	Kerrey	Reid
Daschle	Kerry	Robb
Dodd	Kohl	Sarbanes
Dorgan	Lautenberg	Simon
Exon	Leahy	Snowe
Feingold	Levin	Wellstone

NOT VOTING—2

Bradley Mack

So the motion to lay on the table the amendment (No. 2403) was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote.

Mr. INOUE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, we are going to the Harkin amendment. The Senator has 2 minutes to explain his amendment. It is an amendment to strike the theater missile defense money.

The Senator has his 2 minutes on this amendment.

AMENDMENT NO. 2401

The PRESIDING OFFICER. The pending question is amendment 2401 offered by the Senator from Iowa.

Mr. HARKIN. Mr. President, I understand I have 2 minutes, is that right?

The PRESIDING OFFICER. The Senator is recognized for 2 minutes.

Mr. HARKIN. I thank the Chair.

Mr. President, this is a \$70 million add-on by the committee for the space-based laser. This is the old star wars program. It goes back 10 years or more.

We thought we had kind of killed this snake some time ago. Now it is back again. Basically, this is to build this big mirror in space with a laser, a chemical laser.

Quite frankly, it violates the ABM Treaty. Article 5 of the ABM Treaty states specifically that we will not build space-based weapons systems, and that is exactly what this is.

Second, it is not cost-effective. There are other ways of thwarting any other kind of missiles or nuclear warheads coming into this country. Most of the rogue nations we know about now would not build a ballistic missile. They would smuggle it in. They bring it in on a submarine or something else like that rather than building a big intercontinental ballistic missile.

Third, this laser can be countered by the very coating they are now putting on the mirror which they can put on the missiles themselves.

It is basically to save \$70 million for the taxpayers of this country and to make us still compliant with the ABM Treaty.

Mr. STEVENS. I believe Senator KYL will respond for 1 minute.

Mr. KYL. Mr. President, this is an important program. According to the GAO, the space-based laser program has met every technical milestone. No one has criticized it on technical grounds.

The Senator from Iowa has asserted it is a violation of the ABM Treaty. That is not accurate. The ABM Treaty does not prohibit research. That is what this is. This is a research program, nowhere near deployment. In fact, it may never be deployed.

It is important for our country to have a very highly leveraged, highly technical program such as this. This is the last of the directed energy programs, and it is the kind of program that we need to continue to do the research as a hedge against the kind of future threat that we may have to face. It is not a threat anywhere near deployment—only research money. I hope the motion to table is agreed to.

The PRESIDING OFFICER. The question is on agreeing to the motion to table amendment numbered 2401.

Yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Florida [Mr. MACK] is necessarily absent.

Mr. FORD. I announce that the Senator from New Jersey [Mr. BRADLEY] is absent because of illness in the family.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 57, nays 41, as follows:

[Rollcall Vote No. 391 Leg.]

YEAS—57

Abraham	Frist	Lugar
Ashcroft	Gorton	McCain
Bennett	Gramm	McConnell
Biden	Grams	Murkowski
Bond	Grassley	Nickles
Brown	Gregg	Packwood
Burns	Hatch	Pressler
Campbell	Heflin	Roth
Coats	Helms	Santorum
Cochran	Hollings	Shelby
Cohen	Hutchison	Simpson
Coverdell	Inhofe	Smith
Craig	Inouye	Snowe
D'Amato	Jeffords	Specter
DeWine	Kassebaum	Stevens
Dole	Kempthorne	Thomas
Domenici	Kyl	Thompson
Faircloth	Lieberman	Thurmond
Ford	Lott	Warner

NAYS—41

Akaka	Feingold	Mikulski
Baucus	Feinstein	Moseley-Braun
Bingaman	Glenn	Moynihan
Boxer	Graham	Murray
Breaux	Harkin	Nunn
Bryan	Hatfield	Pell
Bumpers	Johnston	Pryor
Byrd	Kennedy	Reid
Chafee	Kerrey	Robb
Conrad	Kerry	Rockefeller
Daschle	Kohl	Sarbanes
Dodd	Lautenberg	Simon
Dorgan	Leahy	Wellstone
Exon	Levin	

NOT VOTING—2

Bradley	Mack
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So the motion to lay on the table the amendment (No. 2401) was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote.

Mr. THURMOND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, will the Senate be in order?

The PRESIDING OFFICER. The Senate will please be in order. The Senator from Alaska.

Mr. STEVENS. Mr. President, we are about ready to have the last vote of the evening. The Harkin amendment is next. We will have our first vote tomorrow morning at 9:30. We anticipate four to five votes at the most tomorrow morning. We have a series of amendments we are going to take this evening, and we believe the amendments that will be left for short debate and vote will be four to five amendments at most.

The Senator from Iowa has 2 minutes on his amendment, if he wishes to use it at this time?

The PRESIDING OFFICER. The Senator from Iowa is recognized for 2 minutes.

AMENDMENT NO. 2402

Mr. HARKIN. Mr. President, this is an amendment to, again, strike the \$30 million. We could not get the \$70 million out. There were 41 votes on this. This is \$30 million out of the space-based laser. This is \$30 million the Pentagon did not want. No one wanted it. It was added on in committee for an antisatellite weapons testing.

Again, this is something this body has voted against in the past. It was not requested by the Pentagon. Three things:

First, we know what will happen if we use antisatellite weapons to shoot down satellites. It will put a lot of space junk into orbit.

Second, there is a cheaper and more effective way and that is by jamming electronically any satellites that are put up there to spy. We can do that and do it a lot cheaper than building an antisatellite weapons system to shoot them down.

Third, there is not any nation out there today that has a satellite—whose satellite are we going to shoot down? No country, whether it is North Korea, Iraq, Iran, or any other country has a satellite, let alone the delivery systems to get them in orbit. Our intelligence community recognizes no threat of any nation like that having that capability in the foreseeable future.

It is \$30 million. It is not needed. We voted this down in the past. Let us save our taxpayers at least \$30 million and save this money from research on the antisatellite weapons.

Mr. STEVENS. The Senator will yield to the Senator from New Hampshire for 2 minutes.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized for 2 minutes.

This is the final 2 minutes before the vote. The Senate will please come to order. The Senator from New Hampshire.

Mr. SMITH. Mr. President, I thank the Senator from Alaska for yielding me this time.

Numerous potentially hostile nations now do have indigenous satellite capabilities, contrary to what has been

said. Adversaries can use space assets for intelligence, communication, navigation, weather and, yes, targeting.

U.S. military commanders, including General Horner, the man who ran the air campaign in Desert Storm, have stated unequivocally ASAT capability is essential to protect our forces in the field. It is a contingency capability. And to say on the floor of the U.S. Senate we should not use ASAT technology because it is going to create space debris is simply incorrect. It does not create space debris. It disables the satellite. It does not blow it up. That is simply wrong. I say to the Senator from Iowa. It is totally wrong to make that kind of representation on the floor of the Senate.

Beyond a shadow of a doubt, we have demonstrated in Desert Storm that space will forever be an asset that is essential in military warfare. We have to preserve it. This program is essential to preserving the security of our forces and to say we would expose our forces, for the sake of not creating space debris—which it does not create in the first place—is really remarkable, that such a statement would be made.

That is exactly why the kinetic energy ASAT program is so important. It is the capability to enable us to literally blind our adversaries, protect our troops, and ensure we can decisively prevail in future conflicts.

I urge my colleagues to please pay very careful attention to what they are doing and please table this amendment.

The PRESIDING OFFICER. The question occurs on the motion to table amendment No. 2402.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Florida [Mr. MACK] is necessarily absent.

Mr. FORD. I announce that the Senator from New Jersey [Mr. BRADLEY] is absent because of illness in the family.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 57, nays 41, as follows:

[Rollcall Vote No. 392 Leg.]

YEAS—57

Abraham	Frist	McCain
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Burns	Gregg	Packwood
Campbell	Hatch	Pressler
Chafee	Heflin	Roth
Coats	Helms	Santorum
Cochran	Hollings	Shelby
Cohen	Hutchison	Simpson
Coverdell	Inhofe	Smith
Craig	Inouye	Snowe
D'Amato	Kassebaum	Specter
DeWine	Kempthorne	Stevens
Dole	Kyl	Thomas
Domenici	Lieberman	Thompson
Faircloth	Lott	Thurmond
Ford	Lugar	Warner

NAYS—41

Akaka	Bingaman	Bryan
Baucus	Boxer	Bumpers
Biden	Breaux	Byrd

Conrad	Jeffords	Moynihan
Daschle	Johnston	Murray
Dodd	Kennedy	Pell
Dorgan	Kerrey	Pryor
Exon	Kerry	Reid
Feingold	Kohl	Robb
Feinstein	Lautenberg	Rockefeller
Glenn	Leahy	Sarbanes
Graham	Levin	Simon
Harkin	Mikulski	Wellstone
Hatfield	Moseley-Braun	

NOT VOTING—2

Bradley Mack

So the motion to lay on the table the amendment (No. 2402) was agreed to.

Mr. BROWN. Mr. President, I move to reconsider the vote by which the motion was agreed to.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2391, WITHDRAWN

Mr. BROWN. Mr. President, the amendment that I had offered in the Chamber earlier, the NATO Participation Act, sent a strong signal of this Nation of the determination to make sure that the countries of Central Europe that want to be free, that want to stand beside us, and that want to revitalize their economy along a free and democratic line have an extended helping hand in the United States and of comradeship in terms of mutual defense. Those countries bring to NATO an enormous potential in terms of additional protection from the North Atlantic.

We have incorporated a number of amendments which I believe have strengthened the measure. There have been other thoughtful suggestions made by other Members in this Chamber and requests from the very distinguished senior Senator from Georgia. He has some excellent ideas that he wants to add to it, and has some thoughts that are appropriate to enter into the debate.

So to accommodate his request, and I think the potential of improving the measure even further, it is my intention to have that measure considered by other appropriations subcommittees so that it may come before the Chamber at a later time allowing the Senator from Georgia and others who wish to make an issue to put into it to do that, and have time to prepare for that measure.

So, Mr. President, I am heartened by the very strong bipartisan support that the NATO Participation Act has. I believe it will have even stronger support when it comes to the floor on a future bill.

At this point, to accommodate those who wish to add that additional consideration, I will withdraw the amendment.

The PRESIDING OFFICER. The Senator has the right to withdraw his amendment.

So the amendment (No. 2391) was withdrawn.

AMENDMENT NO. 2421

Mr. STEVENS. Mr. President, it is our intention now to move to the

amendments that were in the managers' package, to explain them and to make a record of why we are prepared to proceed with these amendments.

I call up amendment 2421.

The PRESIDING OFFICER. The question occurs on amendment 2421.

Mr. STEVENS. Mr. President, this amendment proposes to change section 8024 based on consultations with the Department of Defense regarding the procurement of M-11 9 millimeter handguns for naval aviators. In addition, this amendment proposes that the Armed Services be allowed to procure .38 and .45 caliber ammunition until such time as the services have converted to the 9 millimeter handgun.

I believe Senator INOUE is in agreement with me that this is an amendment that we should accept. I ask for its adoption.

The PRESIDING OFFICER. Is there further debate on the amendment?

The amendment (No. 2421) was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote.

Mr. INOUE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2417

Mr. STEVENS. Mr. President, I call up amendment No. 2417 for Senator ABRAHAM.

The PRESIDING OFFICER. The question occurs on amendment No. 2417.

Mr. ABRAHAM. Mr. President, in further demonstration of our resolve to downsize the government and eliminate needless departments, agencies, commissions, boards, and councils, this amendment which I offer along with Senators INHOFE and GRAMS, will prohibit funding for the Defense Policy Committee on Trade. This is the third such amendment offered by myself and the other GOP freshman Senators to the appropriations bills to eliminate unnecessary and wasteful functions of government.

The Defense Policy Advisory Committee on Trade was established under the Trade Act of 1974 to serve both the Department of Defense and the Office of the U.S. Trade Representative by providing the Secretary and Trade Representative with policy advice and information regarding defense trade policy issues and domestic industrial base uses, specifically with regards to prohibitions on the transfer of dual-use technologies to the Soviet Union and its former client states. The thirty-five member committee meets twice each year. The committee received an estimated \$4,405 in 1994.

The Office of Management and Budget has proposed repealing Section 3151(c) of the National Defense Authorization Act of 1991, P.L. 101-510, which authorized the technical committee. The committee's report was provided to Congress on October 7, 1991, thereby terminating the responsibilities of the committee. This committee is a Cold

War anachronism and is no longer applicable to our national security needs. Furthermore, the issues of arms control, disarmament, and dual-use technology have changed markedly since the establishment of this committee, and the thrust of verification techniques no longer is directed toward mutually verifiable procedures.

This amendment promotes the type of reform which is supported by the GAO, the CBO, and in some cases the President. It terminates funding for a committee, the job of which is complete. While it may not achieve savings in the millions of dollars, it is an important step in complying with the demands of the American people who told us on November 8, 1994, to balance the budget and cut the size of the Government. It is important that we demonstrate that resolve by reviewing even the most insignificant or inexpensive programs as well as the more prominent ones. Let us show the public we are serious and eliminate this useless panel.

Mr. President, I yield the floor.

Mr. STEVENS. This is an amendment that is offered to eliminate needless departments, agencies, reports and commissions. It deals with the Defense Policy Committee on Trade. This amendment would eliminate that advisory committee.

I am prepared to recommend adoption of the amendment.

Mr. INOUE. No objection.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to the amendment.

The amendment (No. 2417) was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote.

Mr. INOUE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ANTITANK AMMUNITION

Mr. GRAMS. Will the Chairman yield?

Mr. STEVENS. I yield to my friend, the Senator from Minnesota.

Mr. GRAMS. I congratulate the Chairman on the efforts of the Defense Appropriations Subcommittee which the Senator chairs, and those of the Armed Services Committee, in addressing the problems caused by inadequate funding of ammunition programs. Correcting the current shortages in modern, preferred munitions is key to ensuring military readiness.

Mr. STEVENS. I thank the Senator, and I agree that these shortages must be corrected.

Mr. GRAMS. There is one shortage in a modern, preferred munition used by our M1 tanks—the M830A1 high-explosive anti-tank round—which is not addressed in your bill. Although the budgets of the Army and the Marine Corps contained no requests for this round because of overall funding constraints, the Armed Services Committee has authorized M830A1 for both Services.

Reports indicate that the total number of M830A1 rounds the Army has on hand and on order is approximately one-half of its actual inventory objective, and that absent continued funding our industrial capability to produce this kind of modern tank ammunition will rapidly disappear. If that happens, filling the other half of the inventory at some point in the future will take much longer, be much more difficult, and cost much more than continuing production now at a modest level. Given this, I have strongly urged the Senate to consider funding for the M830A1, and I continue to do so.

I am sure that these issues are known to the Chairman, and I also recognize the difficult task he faced in prioritizing many vital but unbudgeted programs. It would appear that a conference with the House of Representatives on the defense appropriations bill lies well in the future. In the interim, new information or changed circumstances may develop which may warrant assigning a higher priority to funding for the M830A1.

Mr. STEVENS. That is a possibility. Mr. GRAMS. I ask that the Chairman remain open to that possibility, and that reconsideration in conference of funding for the M830A1 remain an option.

Mr. STEVENS. Should circumstances at the time warrant, such reconsideration will be an option.

Mr. GRAMS. I thank the chairman.

MARITIME PATROL AIRCRAFT FORCE

Mr. COHEN. I would like to engage the distinguished chairman of the Appropriations Subcommittee on Defense regarding our Maritime Patrol Aircraft [MPA] force. As my colleague knows, the P-3 squadrons which comprise our Maritime Patrol force make an invaluable contribution to anti-submarine warfare missions.

Mr. STEVENS. I am fully aware of the role our P-3 aircraft play in our national security and I would be happy to engage the senior Senator from Maine in a colloquy regarding this issue.

Mr. COHEN. I am very concerned about the loss in operational capability of our Maritime Patrol Aircraft force. The services of P-3 squadrons are historically in very high demand by the unified commanders. In recent years, that demand has increased dramatically as the ability of the P-3 aircraft to carry out littoral warfare missions has become more apparent. Simultaneously, however, budget pressures have forced the Navy to cut P-3 force structure in its budget request. The current maritime patrol aircraft force structure consists of 22 squadrons, 13 active and 9 reserve squadrons. The Navy has reduced the number of active and reserve P-3 squadrons from 24 active squadrons in 1990 to 13 active and 9 reserve in 1994. The fiscal year 1996 budget request would support Navy plans to reduce MPA force structure to 20 squadrons, 12 active and 8 reserve squadrons.

There is strong justification for maintaining no less than 13 active and

9 reserve squadrons. The Unified Commanders need to maintain at least 22 squadrons. In a letter dated February 4, 1995, Navy Secretary Dalton informed the Senate Armed Services Committee that, "at the proposed fiscal year 1996 MPA aircraft force levels, it is not possible to meet the unified commanders' minimum maritime patrol forward presence requirement of 40 aircraft with only active Maritime Patrol Aircraft assets." It is expected that the Unified Commanders' minimum MPA requirements will be met in 1999.

Mr. STEVENS. I understand that the Senate Armed Services Committee recognized the contribution the P-3's make in meeting our maritime patrol mission.

Mr. COHEN. That is correct. The Armed Services Committee also recognized that Maritime Patrol Aircraft are ideally suited to meet a variety of mission requirements for littoral operations very effectively and efficiently and authorized an additional \$35 million to sustain the MPA force structure at 13 active and 9 reserve squadrons in fiscal year 1996. The Secretary of the Navy, the Chief of Naval Operations, and the Unified Commanders have all expressed their support for the action taken by the Senate Armed Services Committee.

Mr. STEVENS. I assure that I share his concerns and intend to raise this issue in the Joint House/Senate Appropriations Conference.

Mr. COHEN. I thank the chairman of the Appropriation's Subcommittee on Defense.

AMENDMENT NO. 2412

Mr. STEVENS. Mr. President, I now call up amendment 2412. I ask the Senator from Hawaii if he wishes to present this amendment.

The PRESIDING OFFICER. The question occurs on amendment No. 2412.

The Senator from Hawaii.

Mr. INOUE. Mr. President, this amendment denies pay and allowances for military prisoners and provides authority for the Department of Defense to provide for their dependents.

We have discussed this matter. There are no objections.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to the amendment.

The amendment (No. 2412) was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote.

Mr. FORD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2420

Mr. STEVENS. Mr. President, I call up amendment 2420 for Mr. LUGAR.

The PRESIDING OFFICER. The question occurs on amendment No. 2420.

Mr. STEVENS. Mr. President, on behalf of the committee, we recommend

that funds in relation to the procurement of ammunition for the Army be withheld unless the acquisition fully complies with the Competition and Contracting Act.

This is the effect of this amendment. I ask for adoption of the amendment.

The PRESIDING OFFICER. Is there further debate on the amendment? If no, the question is on agreeing to the amendment.

The amendment (No. 2420) was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote.

Mr. FORD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2413

Mr. STEVENS. Mr. President, we now call up amendment 2413. I ask the Senator from Hawaii if he would like to explain this for Mr. FEINGOLD.

Mr. INOUE. Mr. President, this is an amendment to eliminate the Project ELF.

Mr. STEVENS. This is an amendment which was accepted on the authorization bill, and we accept it on this bill.

PROJECT ELF

Mr. FEINGOLD. Mr. President, This amendment, for myself and Senator KOHL, will terminate a military program in our own state. I understand the amendment will be accepted by the managers and I appreciate their cooperation on this matter. The amendment involves Project ELF, the Navy's Extremely Low Frequency communications project located in Clam Lake, Wisconsin, and Republic, Michigan. This is a program that is ineffective, out of date, and unwanted by most residents in my state, even though it does employ Wisconsinites.

The members of the Wisconsin delegation have fought hard for years to close down Project ELF; I have introduced legislation three times to terminate it; and I have recommended it for closure to the Defense Base Closure and Realignment Commission.

This time, I am offering an amendment which would limit funds appropriated in this bill to termination costs to mothball Project ELF. The Navy has estimated that it will cost \$12.2 million to shut down and deactivate the ELF system.

For a Congress supposedly in hot pursuit of spending cuts, one would think Project ELF could be eliminated. Instead, as if it were some kind of pet project of a home state Senator, it lingers like a blot in our budget.

Description of ELF

Project ELF is a one-way, primitive messenger system designed to signal to—not communicate with—deeply submerged Trident submarines. It is a "bell ringer," a pricey "beeper" system, used to tell the submarine when to rise to the surface to get a more detailed message through real communications systems. It was designed at a

time when the threat of detection to our submarines was real. But ELF was never developed to an effective capacity, and the demise of the Soviet threat has certainly rendered it unnecessary.

The concept of extremely low frequency was first introduced when submarines started going so far beneath the surface ordinary radios could not reach them. In its first incarnation, in the mid-1960's, Project ELF was Project Sanguine: an elaborate—and vulnerable—network of 6200 miles of cable and over 100 ELF transmitter towers spread over 40 percent of northern Wisconsin. It was abandoned when it proved too expensive, too susceptible, and too controversial in the community. Years later, after much debate, false starts, budget constrictions, and resident antagonism, Project ELF was whittled down to a total of 84 miles of cable and two transmitters over two states. It was hoped that once it was started, it could grow: a typical bureaucratic "let's-get-our-foot-in-the-door" program.

Strategic argument

But the project has had a hard time gaining momentum exactly because it is impractical. Even in its optimum construction, it has no nuclear survivability or dependability, and therefore little wartime efficacy.

In 1979, the General Accounting Office had recommended "that the Secretary of Defense terminate any plans to construct an extremely low frequency transmitter system * * * since it is not needed * * * [the system] enhances communications capability only marginally at best."

In 1980, the Navy agreed, stating that there was no threat that required the development of ELF. It was only in 1981, when Secretary of Defense Casper Weinberger overruled the Navy and declared that Project ELF should proceed.

It was a bad plan then, and an obsolete one today.

The Navy's recent brief on ELF also acknowledges that there is no current threat precipitating ELF's continuation: it says, "Even though our submarines are currently, to the best of our knowledge, virtually invulnerable to the present anti-submarine threat, the ELF system is a hedge against future developments by our potential enemies." That is, Mr. President, ELF is only operating in case of a future development, but not for current protection.

That is why my amendment provides for the mothballing of project ELF. For example, in the unlikely event that a threat emerges in 5 years, we could restart ELF, but have saved the \$60 million plus in the interim in which it was unnecessary.

ELF is inefficient

In actuality, if ELF served a strategic purpose, this would not be a burdensome investment. But Project ELF does not serve such a strategic purpose. Even at its best, ELF has been a weapon in search of a mission at the right time—but that time has yet to come.

Health and environment

Finally, Mr. President, let me add a word about the health and environmental effects of ELF as well, because if you are a resident of northern Wisconsin, this is something which has been of concern. The Navy continues to insist that there are no environmental effect or health hazards associated with the electromagnetic fields ELF emits: it's just that after \$25 million of study, there has been no conclusive evidence one way or the other. I certainly understand any fears the Wisconsin residents must have.

In fact, in 1984 a U.S. District Court, ruling on *State of Wisconsin vs. Weinberger* ordered Project ELF closed because the Navy paid inadequate attention to ELF's possible health effects and violated the National Environmental Policy Act. Interestingly, an appeals court threw out the ruling arguing that the national security threat from the Soviets at the time was more important. The premise of that ruling today is obviously outdated. It should be reconsidered in light of realities in 1995.

Conclusion

ELF is not worth any money because it doesn't have a mission.

If it is a first-strike weapon, then it is de-stabilizing and threatening, which hardly increases our security. If it is merely a communications system, it is inadequate. A weapon or a communications device designed to keep deeply submerged submarines submerged is no longer necessary. It is not protecting us against any capable enemy, but it is using money that could be.

As columnist Jack Anderson noted earlier this year, this is an example of a cut that the delegation wants the Congress to make. We are asking the Congress to take our program.

We came very close to it earlier this year with the rescissions bill. The Senate Appropriations Committee had recommended it for a cut, and the full Senate had agreed.

During conference, there seemed to be a concern that the Navy had come up with a newly invented "highly classified" justification for ELF. There appears to have been some confusion about this project and I have been told there is no new justification for ELF.

So, I would urge my colleagues to support this amendment, and fund ELF's termination this year, not its continuation.

Mr. KOHL. Mr. President, I am a cosponsor of this amendment to try yet again to cut a cold war relic located in Wisconsin: the Extremely Low Frequency or ELF system.

I thank my colleague from Alaska for his willingness to offer this amendment.

It is astonishing to me that we must continue to come forward to offer up this program for the chopping block. We are well aware that this may have a negative impact in our state, but we are willing to make the tough decision to eliminate a program we no longer need and can no longer afford.

If we truly want to reduce the deficit, we must start somewhere and make the necessary cuts.

As Senator FEINGOLD has detailed, ELF contributes little to our national security. All it can do is signal submarines to come to the surface, thus, it is not a particularly useful or effective communications system.

Even if one could make the case that it might have some strategic value down the road—something I sincerely doubt—it is such a cumbersome obvious system that it would be an easy target. I cannot support putting citizens of the region at risk for no good reason.

Earlier this year, the Senate passed a Defense supplemental bill which eliminated the ELF program. However, during the conference on the Defense supplemental, the Senate position to eliminate ELF was defeated. During the conference, the House brandished new and classified information from an eleventh hour Navy briefing that supposedly revealed that ELF is essential to our national security.

When the defense supplemental came back from conference, Senator FEINGOLD and I decided not to go forward with a planned amendment to cut the program and he sought this highly classified briefing by the Navy. To our surprise, the Navy said that it had no highly classified briefing on ELF. Perhaps there was some confusion, they said, and opponents of cutting ELF were confusing it with EHF?

Mr. President, the Navy has to do better than this. Last minute secret justifications for creaky low technology projects are just not enough to justify millions of dollars in spending. I am certain that my colleagues in the Senate will agree.

Our amendment mothballs the ELF system so that it could be started up again if necessary. We don't think it ever will be necessary, but this amendment should address the concerns of our colleagues who take a more cautious approach to these matters.

Mr. President, I urge the Senate to cut this program in our state of Wisconsin. It is not often that Senators try to kill a \$12 million program in their own state, and I want to commend my colleague from Wisconsin, Senator FEINGOLD, for his work on this issue. The Senate has cut ELF before. I urge my colleagues to do so again.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2413.

The amendment (No. 2413) was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote.

Mr. INOUE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2419

Mr. STEVENS. Mr. President, I now call up amendment No. 2419 for Mr. MCCONNELL.

The PRESIDING OFFICER. The question occurs on amendment No. 2419.

Mr. STEVENS. The purpose of this amendment is to ensure that the General Accounting Office reports to the Congress on any proposed changes to the Department of Defense commissary access policy and address the financial impact of the commissaries as a result of any proposed policy changes.

We agree to accept the amendment. I ask for its adoption.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to the amendment.

The amendment (No. 2419) was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote.

Mr. INOUE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2411

Mr. STEVENS. I now call up amendment No. 2411.

The PRESIDING OFFICER. The question occurs on amendment 2411.

Mr. STEVENS. Mr. President, has the amendment been adopted?

The PRESIDING OFFICER. It has not.

Mr. STEVENS. We ask for adoption of the amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

So the amendment (No. 2411) was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote.

Mr. INOUE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ELECTRONIC COMBAT MASTER PLAN AMENDMENT

Mr. GRAHAM. Mr. President, my good friend and fellow Senator from Florida [Mr. MACK] and I would like to engage in a colloquy with the distinguished chairman regarding a matter of fiscal and military importance. In 1994, the House Armed Services Committee directed the Department of Defense to develop a master plan for future consolidations of DOD-wide electronic combat [EC] test and evaluation assets in the interest of reducing infrastructure costs. Unfortunately, to date, such a report has not been developed nor forwarded to Congress. The BRAC Commission, recognizing the delay by DOD to issue this report, recommended acceptance of the Air Force proposal to realign some of its electronic combat assets, and recommended that the master plan be used to establish the infrastructure for optimum asset utilization.

In fact, during the June deliberations of the BRAC Commission, this issue was carefully considered by the Commission. The Commission's analysis

demonstrated that the move would "never net a return on investment," nor was it a part of a master plan to consolidate EC assets in a cost-effective manner. The Commission, in desiring to see a master plan developed, felt that by endorsing the Air Force proposal, they would prompt DOD to finally move ahead with the master plan.

Mr. President, during any discussion of downsizing and consolidation there is no disagreement regarding the fact that all such decisions must be made in an intelligent and cost-efficient fashion. It is my, and my fellow Florida colleague's hope that the early completion of the master plan will allow DOD and the Congress to proceed according to these considerations.

In that light, we would like to direct a few questions to the chairman to ensure that the committee's intent is clear with regards to the master plan and EC asset consolidation.

Mr. STEVENS. I would be happy to respond to the questions that my friends from Florida wish to ask.

Mr. GRAHAM. Is it the committee's desire to see that the master plan is completed so that the services can go forward with optimum and cost-efficient asset utilization?

Mr. STEVENS. The senior Senator from Florida is correct. The committee has long supported such planning which saves taxpayers' dollars. This is even more important in our current fiscal climate in which we struggle to meet our military requirements.

Mr. MACK. Mr. President, it is my understanding that no funds have been requested nor provided in fiscal year 1996 for the realignment of EC equipment. I ask, is this the chairman's understanding?

Mr. STEVENS. Yes, this is, in fact, the case. If a formal reprogramming request would be necessary, I would be pleased to work with the Senators from Florida at that time.

Mr. GRAHAM. Given the chairman's response, I ask that he send to the desk an amendment on my behalf, cosponsored by my colleague from Florida, which requires DOD to complete and submit to the congressional defense committees an EC master plan no later than March 31, 1996.

We thank the chairman for his cooperation, and look forward to working with him in the future on this matter.

RADIO COMMUNICATIONS SYSTEMS FOR THE LPD-17 CLASS

Mr. HOLLINGS. Mr. President, I would like to call to the attention of my distinguished colleague, the Chairman of the Defense Appropriations Subcommittee, Senator STEVENS, an issue that I know is of mutual interest.

I note that our colleagues in the other body have included in the House Defense Appropriations Bill, funding for a new class of Amphibious Transport Dock ships, the so called LPD-17 class of Amphibious ships. In our own deliberations, while recognizing the need for replacing the aging *Austin*

class of such ships, other priorities, and allocation constraints did not allow us to fund this vessel.

Mr. STEVENS. Mr. President, my colleague is correct. While we recognize the need to modernize our amphibious capabilities by replacing the older LPD's now in service, funding constraints did not allow us to do that this year.

Mr. HOLLINGS. Mr. President, I have a related concern that I want to bring to my colleague's attention, should the conferees or any future deliberations determine that funding for the LPD-17 can be made available. As my colleagues may remember, the FY 93 Base Realignment and Closure Commission recommended, and the Congress approved, the consolidation of all Department of Navy in service engineering support for Command, Control and Ocean Surveillance systems at the Navy facility in Charleston, South Carolina. In reorganizing to carry out this action, the Navy has developed a mission statement for this facility in Charleston, called NISE-EAST, identifying it as the lead facility for all engineering, analysis, design, testing, installing, upgrading, and training support for all shore based, mobile, and afloat Navy communications systems. I want to insure that should the conferees, or any future deliberations result in funding being made available for the LPD-17, that the NISE-East facility in Charleston be designated as the appropriate facility to perform in service engineering support for the radio communications systems associated with that class of vessels. Any attempt to divert that workloading elsewhere would be an unwarranted intrusion into internal workloading processes in the Navy, and would seriously undermine the Base Closure and Realignment process.

Mr. STEVENS. Mr. President, I believe my colleague from South Carolina has expressed an appropriate concern. All of us have a shared interest in insuring that our actions do not either directly or indirectly undermine the Base Closure process. While I cannot determine at this time if funding might be made available for the LPD-17, I will request that the Conferees endorse the Senator from South Carolina's proposal, if the Conference funds the LPD-17.

AMENDMENT NO. 2418

Mr. STEVENS. Mr. President, I now call up amendment No. 2418.

The PRESIDING OFFICER. The question occurs on amendment No. 2418.

Mr. STEVENS. The committee provided \$45,458,000 for the intercooled recuperative turbine, the ICR project, of the Advanced Surface Machinery Program. The funds were provided for development and testing of the ICR. This is an amendment for Senator SPECTER and Senator SANTORUM.

The PRESIDING OFFICER. Is there further debate? Without objection, the amendment is agreed to.

So the amendment (No. 2418) was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote.

Mr. INOUE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2405

Mr. STEVENS. I call up amendment No. 2405.

The PRESIDING OFFICER. The question occurs on amendment No. 2405.

Mr. AKAKA. Mr. President, I rise today to offer an amendment to the Fiscal Year 1996 Department of Defense Appropriations Bill. My amendment requires the Secretary of Defense and the Secretary of the Army to review the need for the Selected Reserve Incentive Program (SRIP) for infantry reservists.

Due to the Army's agreement which placed all CONUS-based infantry units in the National Guard system, the famed 100th Battalion in Hawaii is the only remaining infantry unit in the Army Reserves. The 100th Battalion has been designated as a round-out unit—one of the units that constitutes the 29th Infantry Enhanced Brigade. As part of the enhanced brigade, the 100th Battalion is required to recruit and retain 125 percent of the required personnel end-strength. Currently, the 100th Battalion is 157 enlisted soldiers short of their required strength. The lack of the SRIP for reservists in the Career Management Field (CMF) 11 has contributed to this shortfall. As a result, the 100th Battalion has been placed at a disadvantage in competing for qualified personnel.

Mr. President, my amendment directs the Secretary of Defense and the Secretary of the Army to review this situation to ensure that the only infantry reserve unit left in the Army Reserves is treated fairly. I appreciate the support of the managers of this bill, Senator STEVENS and Senator INOUE, and their staffs, particularly Mr. Charlie Houy and Ms. Sid Ashworth, for their assistance.

Mr. INOUE. I ask unanimous consent that this amendment be adopted.

The PRESIDING OFFICER. Is there further debate on the amendment?

I not, without objection, the amendment is agreed to.

So the amendment (No. 2405) was agreed to.

Mr. STEVENS. I move to reconsider the vote.

Mr. INOUE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2414

Mr. STEVENS. I call up amendment 2414.

This is an amendment for Senator INOUE and Senator DOMENICI dealing with the strategic targeting system.

Does the Senator wish to explain?

Mr. INOUE. I have an explanation.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUE. This has been approved.

Mr. STEVENS. It provides \$10 million, the budget request amount, for the strategic target system program, known as Stars. The amendment directs that these funds are available only to continue the Stars program. The Stars program can provide critical test support to theater and national missile defense programs. The committee endorses continuation of this important program.

I ask for the adoption of the amendment.

The PRESIDING OFFICER. Is there further debate on the amendment?

If not, the amendment is agreed to.

So this amendment (No. 2414) was agreed to.

Mr. STEVENS. I move to reconsider the vote.

Mr. INOUE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2409

Mr. STEVENS. I call up amendment No. 2409 for Mr. PRYOR.

Mr. INOUE. I think this is an amendment to eliminate an obstacle to the quick redevelopment of closing military bases.

Mr. PRYOR. Mr. President, I rise to offer an amendment to help eliminate a current obstacle to the quick redevelopment of closing military bases.

My amendment will give the military services greater flexibility to negotiate longer interim leases for the reuse of base property where the military is preparing for its departure. It will do so in a responsible way that does not eliminate vital environmental safeguards.

This amendment will hopefully solve many interim leasing problems that are occurring at closing bases nationwide.

At Eaker Air Force Base in Blytheville, Arkansas, Cotton Growers Inc. approached the local redevelopment authority about storing cotton in an old B-52 hanger until cotton prices improved. Upon learning from the Air Force that they could receive only a one year lease with a 30 day cancellation clause, Cotton Growers Inc. decided not to locate at Eaker.

At Alameda Naval base in Alameda, California, AEG Transportation is seeking a ten year lease to obtain use of base property to refurbish rail cars for the San Francisco-based BART public transit company. The BART contract is for ten years, and AEG desires a ten year commitment before spending millions of dollars on capital improvements to Alameda property. Unfortunately, the Department of the Navy is thus far unwilling to enter into a lease agreement longer than five years. This stalemate could result in the loss of an attractive tenant for Alameda.

The military services have informed my office that the inability to offer longer interim leases is due primarily to their fear of a lawsuit over require-

ments from the National Environmental Protection Act of 1969, the so-called NEPA. This amendment attempts to address this problem without degrading the environment or fully exempting interim leases from NEPA.

I ask unanimous consent that a summary of this amendment be placed in the RECORD immediately following my remarks.

In recent years, Congress and the Clinton Administration have made substantial progress in removing the obstacles that have blocked past efforts to redevelop bases. This amendment will help remove yet another barrier.

It will give the military services greater flexibility to negotiate with interested tenants. It also ensures that our effort to create jobs and economic activity on base does not come at the expense of the environment.

I thank the distinguished chairman and the ranking member for accepting this amendment.

I also thank the Department of Defense, the Departments of Army, Navy and Air Force, the Council on Environmental Quality, the Environmental Protection Agency, Senators CHAFEE, BAUCUS, LAUTENBERG, and BOXER from the Senate Environment and Public Works Committee and Senators NUNN and THURMOND from the Senate Armed Services Committee who contributed greatly to the adoption of this amendment.

Mr. President, I yield the floor.

Mr. STEVENS. I ask for the adoption of the amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

So the amendment (No. 2409) was agreed to.

Mr. STEVENS. I move to reconsider the vote.

Mr. INOUE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2416

Mr. STEVENS. Mr. President, I call up amendment No. 2416.

The PRESIDING OFFICER. The question occurs on amendment No. 2416.

Mr. STEVENS. Mr. President, this was offered by Senator WARNER, for himself, Senator LIEBERMAN, Senator DODD, and Senator ROBB, to ensure essential elements of a nuclear attack submarine agreement, which was included in the defense authorization bill, are included in this appropriations bill.

They have offered this amendment to ensure fair, equitable treatment and maintenance of both nuclear-capable shipyards.

I ask for the adoption of the amendment.

The PRESIDING OFFICER. Is there further debate? If not, without objection, the amendment is agreed to.

So the amendment (No. 2416) was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. INOUE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2415

Mr. STEVENS. Mr. President, I ask for consideration now of amendment No. 2415.

The PRESIDING OFFICER. The question occurs on amendment No. 2415.

Mr. INOUE. Mr. President, this amendment appeared in the authorization bill. There is no opposition.

Mr. STEVENS. Mr. President, this is a zero sum transfer of \$40 million from O&M, defensewide, to the humanitarian assistance program. This amendment would provide a total of \$60 million for humanitarian assistance in the bill and subject to conference.

The PRESIDING OFFICER. Is there further debate? If not, without objection, the amendment is agreed to.

So the amendment (No. 2415) was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. INOUE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2397

Mr. STEVENS. Mr. President, I now call up amendment No. 2397.

The PRESIDING OFFICER. The question occurs on amendment No. 2397.

Mr. STEVENS. Mr. President, this is the amendment that was offered by Senator SIMON, for himself and Mr. BUMPERS, to modify the loan guarantee provision which was previously subject to debate.

This amendment requires that the exposure fees charged and collected by the Secretary of Defense for each defense export loan guarantee be paid by the country involved and not be financed as part of the guaranteed loan on the part of the United States.

We are prepared to accept the amendment.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, without objection, the amendment is agreed to.

So the amendment (No. 2397) was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. INOUE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2407

Mr. STEVENS. Mr. President, I call up amendment No. 2407 for Senator KYL.

The PRESIDING OFFICER. The question occurs on amendment No. 2407.

Mr. STEVENS. Mr. President, this amendment fences all but \$52 million of the funds provided for the former So-

viet Union threat reduction, which was \$365 million, until three conditions are certified by the President as having been met:

First, United States-Russia completed joint LAB study regarding Russian proposal to neutralize CW and United States agrees with proposal;

Second, Russia has prepared plan to manage dismantlement-destructions of Russia CW stockpile;

Third, United States-Russia committed to resolving outstanding issues regarding 1989 Wyoming MOU and 1990 bilateral destruction agreement.

AMENDMENT NO. 2407, AS MODIFIED

Mr. STEVENS. Mr. President, I send to the desk a modification of the amendment.

The PRESIDING OFFICER. The Senator has a right to modify the amendment.

The amendment, as modified, is as follows:

On page 82, between lines 11 and 12, insert the following:

SEC. 8087. LIMITATION ON USE OF FUNDS FOR COOPERATIVE THREAT REDUCTION.

(a) LIMITATIONS.—Of the funds available under title II under the heading "FORMER SOVIET UNION THREAT REDUCTION" for dismantlement and destruction of chemical weapons, not more than \$52,000,000 may be obligated or expended for that purpose until the President certifies to Congress the following:

(1) That the United States and Russia have completed a joint laboratory study evaluating the proposal of Russia to neutralize its chemical weapons and the United States agrees with the proposal.

(2) That Russia is in the process of preparing, with the assistance of the United States as necessary, a comprehensive plan to manage the dismantlement and destruction of the Russia chemical weapons stockpile.

(3) That the United States and Russia are committed to resolving outstanding issues under the 1989 Wyoming Memorandum of Understanding and the 1990 Bilateral Destruction Agreement.

(b) DEFINITIONS.—In this section:

(1) The term "1989 Wyoming Memorandum of Understanding" means the Memorandum of Understanding between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics Regarding a Bilateral Verification Experiment and Data Exchange Related to Prohibition on Chemical Weapons, signed at Jackson Hole, Wyoming, on September 23, 1989.

(2) The term "1990 Bilateral Destruction Agreement" means the Agreement between the United States of America and the Union of Soviet Socialist Republics on destruction and non-production of chemical weapons and on measures to facilitate the multilateral convention on banning chemical weapons signed on June 1, 1990.

Mr. STEVENS. I ask for the adoption of the amendment.

Mr. INOUE. No objection.

Mr. STEVENS. This was cleared personally by me with Senator NUNN and Senator KYL.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, without objection, the amendment, as modified, is agreed to.

So the amendment (No. 2407), as modified, was agreed to.

The PRESIDING OFFICER. Does the Senator wish to reconsider the vote?

Mr. INOUE. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2406

Mr. INOUE. Mr. President, I call up amendment No. 2406.

The PRESIDING OFFICER. The question occurs on amendment No. 2406.

Mr. AKAKA. Mr. President, my amendment to the Defense appropriations bill is similar to a sense of the Senate resolution I introduced last month regarding France's decision to conduct a series of eight underground nuclear explosions in the South Pacific. This action by France is in contravention of the current international moratorium on nuclear testing. The amendment I offer today expresses the sense of the Senate that the Republic of France should abide by the current international moratorium on underground nuclear testing.

I am offering this amendment to S. 1087 because I believe it is imperative that the Senate go on record on this issue before the August recess. News reports over the past few days indicate that France has readied four of the eight nuclear devices to be exploded in the Pacific, and it is likely that the first device will be detonated later this month.

My original resolution, Senate Resolution 149, is cosponsored by Senators INOUE, KERRY, JEFFORDS, FEINSTEIN, LEVIN, SIMON, HARKIN, LEAHY, LAUTENBERG, MOSELEY-BRAUN, KASSEBAUM, BUMPERS, EXON, BINGAMAN, DASCHLE, THOMAS, MURRAY, WELLSTONE, STEVENS, HATFIELD, and GRAHAM. I am grateful for the positive response I have received in a short period of time from so many of my colleagues.

I would like to thank the distinguished chairman and ranking member of the Defense Appropriations Subcommittee for their courtesy in entertaining this amendment. I would note that they are both cosponsors of Senate Resolution 149, and I appreciate their support on this issue. I would also like to acknowledge the Members of the other body who have taken the lead on this issue, including Congressmen ENI FALEOMAVAEGA, BEN GILMAN, chairman of the International Relations Committee, Congressman ED MARKEY, and Congressman JIM LEACH.

To briefly review events, on June 13, 1995, French President Jacques Chirac announced that the Republic of France planned to resume nuclear testing in the South Pacific. A series of eight underground tests are planned, ending in May, 1996, at Mururoa Atoll in French Polynesia.

Following the French announcement, I contacted the White House to urge President Clinton to convey the concerns of the United States and the Pacific island nations to France over its

resumption of nuclear testing. We in the Pacific, more than any other region in the world, know the ramifications of nuclear testing. We only have to look at what happened to Bikini, Enewetak, or Rongelap Atolls in the Marshall Islands to understand the long-term damage to humans and the environment that can occur as a result of nuclear testing.

Earlier last week, the 19-nation ASEAN Regional Forum, which includes the United States as a dialogue partner, called for an immediate end to nuclear testing during its security conference in Brunei. The governments of Australia, New Zealand, Japan, and other Asian and Pacific rim nations have strongly condemned the resumption of nuclear testing. International protests by government, business, civic and community groups continue to accelerate and proliferate as the first testing date approaches. France is reaping the whirlwind of international indignation, extending far beyond the nations and people of the Pacific and Asia, for its decision. Governments and world opinion recognize how the continuation or resumption of nuclear testing jeopardizes international efforts to curb the proliferation of nuclear weapons.

Mr. President, this past May, the world's five declared nuclear powers—the United States, France, Russia, China, and Britain—persuaded all NPT-member nations to extend indefinitely the Treaty of Non-Proliferation of Nuclear Weapons, NPT. To win that consensus, the five countries promised to sign a Comprehensive Test Ban Treaty by the end of next year. Yet, less than 2 months after pledging to exercise utmost restraint, the French Government reneged on its commitment to the NPT.

The French decision to resume testing seriously undermines the credibility of the NPT and complicates international efforts to negotiate a comprehensive test ban treaty. The United States, recognizing that the benefit of nuclear testing is outweighed by the harm it would cause our leadership on nonproliferation issues, has extended or ban on testing through September of 1996.

We cannot ignore the resumption of nuclear testing by France. By adopting this resolution, the Senate will strongly encourage France to abide by the current international moratorium on nuclear testing and refrain from proceeding with its announced intention of conducting a series of nuclear tests in advance of a Comprehensive Test Ban Treaty.

I urge the adoption of the amendment.

Mr. INOUE. Mr. President, this has been cleared on both sides. There are no objections to this amendment.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, without objection, the amendment is agreed to.

So the amendment (No. 2406) was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. INOUE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Are there any amendments we have dealt with that we have failed to reconsider?

The PRESIDING OFFICER. No.

Mr. STEVENS. Are there any amendments adopted today that were not reconsidered?

The PRESIDING OFFICER. No.

Mr. STEVENS. Are there any amendments voted on today that were not reconsidered?

The PRESIDING OFFICER. No.

LIFE SCIENCES EQUIPMENT LAB

Mr. DOLE. Mr. President, I thank my friend the chairman, Senator STEVENS for offering an amendment on my behalf. The amendment sets aside \$500,000 for the Air Force's Life Sciences Equipment Lab.

The Lab is a unique facility within the Department of Defense, and is probably the only facility of its kind anywhere. Established in 1983, it meets three primary functions: (1) provide scientific support to aircraft mishap investigation boards; (2) train personnel in life sciences equipment investigation; and (3) process the everyday technical problems on such equipment, while also conducting related design work and test programs.

Additionally, the Lab has assisted Joint Task Force—Full Accounting (JTF—FA) as it endeavors to determine the status of air crew personnel in South East Asia, providing JTF—FA with technical support—involving research into the formal identification of suspected life sciences equipment; artifact analysis to indicated the survival outcome of individuals involved with the equipment; and technical training of personnel being assigned to JTF—FA, to familiarize them with South East Asia era equipment and how to conduct scientific investigations.

In short, Mr. President, this funding will help ensure the fullest possible accounting of those lost in South East Asia, while also ensuring the lab's continued attention to investigating military aircraft mishaps and ensuring the effectiveness of the equipment designed to help ensure the safety of our military's air crews.

I believe the amendment has been cleared by both sides, and I thank both Senator STEVENS and Senator INOUE for their assistance in this matter.

B-52

Mr. CONRAD. Mr. President, I am very concerned about the national security implications of the Administration's decisions with regard to strategic bombers under the Nuclear Posture Review. The Nuclear Posture Review recommends retiring 28 B-52H bombers during the coming fiscal year. I believe it would be a serious mistake to unilaterally send a large number of dual capable bombers to the boneyard.

B-52s provide combat-proven conventional capability and a credible nuclear deterrent—something no other weapon system can now match.

I understand that the Defense Appropriations Subcommittee was working under very tight budgetary constraints this year. Nonetheless, I am very concerned that the bill before us does not contain additional funding above the Administration's request to ensure that we maintain four combat squadrons of B-52s. At a time when bombers have become increasingly important to our conventional warfighting strategy, we need every bomber we have. A strong B-52 force helps us retain a ready defense that can quickly project power around an increasingly uncertain world, and has been vigorously supported by senior military officers.

It is my understanding that the House bill contains an additional \$180 million to meet B-52 mission requirements. Consequently, I expect that this issue will be addressed in conference. I know my friend from Hawaii, the distinguished ranking member of the subcommittee, shares my view that a strong bomber force is essential to our national security. I was wondering whether he would be willing to discuss his view of how funding for B-52s should be resolved in the conference?

Mr. INOUE. I thank the Senator from North Dakota for his remarks on this important issue. I want to assure him that I continue to support a strong bomber force. A strong bomber force is vital in today's world, and we should not unnecessarily give up the highly cost-effective combat capability of our B-52 force. As the Senator for North Dakota noted, the subcommittee this year was working under tight budgetary restrictions and was unable to provide funding in the Senate bill for additional B-52s. I am pleased that the House was able to do so, and I can assure the Senator from North Dakota that I will work hard in conference to make sure that the final bill that goes to the President has sufficient funding to maintain a highly capable B-52 bomber force which can accomplish its assigned missions.

Mr. CONRAD. I thank the distinguished ranking member for that assurance.

Mr. DOMENICI. Mr. President, I rise in strong support of S. 1087, the 1996 Department of Defense appropriations bill.

I commend the distinguished chairman and ranking member for bringing the Senate a bill that meets the most critical needs of the U.S. military for the defense of our Nation.

The committee has achieved this significant accomplishment even though the Defense Subcommittee contributed additional defense spending authority to both the Energy and Water Development Appropriations Subcommittee, which I chair, and the Military Construction Subcommittee. These subcommittees also fund vital programs related to our national defense.

Mr. President, the Senate version of the Defense appropriations bill provides a total of \$242.7 billion in budget authority and \$163.6 billion in new outlays for the programs of the Department of Defense in fiscal year 1996.

When outlays from prior-year budget authority and other completed actions are taken into account, the Senate-reported Defense appropriations bill totals \$242.7 billion in budget authority and \$243.3 billion in outlays for fiscal year 1996.

The Senate bill is within its section 602(b) allocation for both budget authority and outlays. Any significant funding amendments would necessarily have to be offset with savings from within the bill.

Mr. President, I ask unanimous consent that a table showing the relationship of the pending bill to the subcommittee's 602(b) allocation pursuant to the 1996 budget resolution be printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

**DEFENSE SUBCOMMITTEE SPENDING TOTALS—SENATE-
REPORTED BILL**

(Fiscal year 1996, in millions)

	Budget Au- thority	Outlays
Defense discretionary:		
Outlays from prior-year BA and other actions completed	—	\$79,678
S. 1087, as reported to the Senate	242,534	163,350
Scorekeeping adjustment	—	—
Subtotal defense discretionary	242,484	243,029
Nondefense discretionary:		
Outlays from prior-year BA and other actions completed	—	40
S. 1087, as reported to the Senate	—	—
Scorekeeping adjustment	—	—
Subtotal nondefense discretionary	—	40
Mandatory:		
Outlays from prior-year BA and other actions completed	—	—
S. 1087, as reported to the Senate	214	214
Adjustment to conform mandatory programs with budget resolution assumptions	0	0
Subtotal mandatory	214	214
Adjusted bill total	242,698	243,282
Senate Subcommittee 602(b) allocation:		
Defense discretionary	242,486	243,029
Nondefense discretionary	—	40
Violent crime reduction trust fund	—	—
Mandatory	214	214
Total allocation	242,700	243,283
Adjusted bill total compared to Senate Subcommittee 602(b) allocation:		
Defense discretionary	—2	—0
Nondefense discretionary	—	—0
Violent crime reduction trust fund	NA	NA
Mandatory	—	—
Total allocation	—2	—1

Note: Details may not add to totals due to rounding. Totals adjusted for consistency with current scorekeeping conventions.

Mr. DOMENICI. Mr. President, I thank the distinguished chairman and ranking member for their consideration of several important items that I brought to the subcommittee's attention.

I urge my colleagues to expedite action on this bill. I urge the Senate to adopt the bill.

FASA

Mr. JOHNSTON. Mr. President, last Congress we passed and the President signed into law the Federal Acquisition Standards Act, or FASA. That Act generally seeks to promote efficiencies and cost savings through competition

in contracting services. It provides, among other things, that contracts for Advisory or Assistance Services above certain thresholds must have multiple awards. The theory was that a series of smaller contract awards would generally be more cost effective than one large contract.

At the same time, we recognized that not all contracts would benefit by multiple awards. This could result either because of the specialized subject matter of the contract itself, or because the nature of the contract indicates that a single award would be more efficient. For that reason, we put in place a specific provision for a waiver from the multiple contract award provision.

Mr. President, just last week, the Department of the Army issued its first solicitation for Contractor Advisory and Assistance Services since FASA was passed. This particular solicitation was for a series of support and integration services for the Chemical Weapons Demilitarization program. It would take the current integration and support contract and divide it into five component parts in an effort to comply with FASA.

The Chemical Weapons Demilitarization program has been slow to show progress since we first directed Disposal of those weapons in 1986. Nevertheless, progress is beginning to make itself apparent. Facility testing has begun at Tooele, UT, and the next facility at Anniston, AL is scheduled to begin construction in 1996.

Mr. President, disposing of our chemical weapons stockpile is a high-priority mission, and one which is very highly specialized. I question whether this particular mission lends itself to multiple integration contract awards. I am concerned that because this is the first contract to be let for Contractor Advisory and Assistance Services since FASA was passed, the Army might have felt compelled to call for multiple contract awards rather than seeking the exemption.

I would like to ask the distinguished bill managers whether they share my opinion that Chemical Weapons Demilitarization is precisely the kind of specialized contract which led to our including the exemption provisions in FASA.

Mr. STEVENS. I absolutely share the opinion of the Senator from Louisiana. As the Senator knows, the subcommittee indicated strong support for the Army's decision to transfer oversight responsibilities for this program to the Assistant Secretary for Research Development and Acquisition. Our specific interest in this transfer was the cost accounting and control which would be put in place by treating this program more as an acquisition program than as a construction program. However, Chemical Weapons Demilitarization is not an acquisition program in the traditional sense. Rather, it is a very highly specialized program which places a premium on integration and communication. By indicating our support for additional cost accounting and controls we by no means

meant to indicate that the FASA exemption from multiple contract awards was not available to the Army in this instance.

Mr. INOUE. Mr. President, I share the opinion of the Senator from Alaska in response to the question from the Senator from Louisiana. The Chemical Weapons Demilitarization Program is a sequential construction program which depends very heavily on transmitting what is learned at one facility to the rest of those facilities in the complex. Program integration, environmental permitting, facility oversight and public outreach are all integral parts of that mission. Given that fact, the Army has every right to avail itself of the waiver provisions of FASA.

Mr. JOHNSTON. I take it that both of the distinguished managers of this bill agree with me that the Army should consider the waiver provisions of FASA as being completely available in the case of this particular contract award. Is it the intention of the managers to make that clear in the Statement of Managers which would accompany the Conference report on this legislation?

Mr. STEVENS. That would certainly be my intention.

Mr. INOUE. It would be mine as well.

Mr. JOHNSTON. I thank the distinguished managers and yield the floor.

MARINE CORPS RESERVE END STRENGTH

Mr. DOMENICI. Mr. President, Senator HUTCHISON and I had intended to offer an amendment to add \$12.8 million to the Marine Corps Reserve personnel end strength account. The Senate Defense Authorization bill includes authorization for this purpose. It is our understanding that a significant number of the 274 additional authorized personnel would be used to stand up two F/A18 squadrons in Texas and Georgia.

Last year, the Chairman assisted me by including report language that directed that the deactivation of the Marine Reserve jet squadrons be delayed until a formal review and report is received by the Committees on Appropriations. That report has not been received. Am I correct?

Mr. STEVENS. I assisted the Senator from New Mexico with this language and he is correct that we have not received a copy of the report.

Mrs. HUTCHISON. I understand that when the report is released it may say that rather than having two F/A18 squadrons, the Marine Corps Reserve is considering a squad with a different mix of Harriers, Cobras and Hueys. The problem is, Mr. President, there remains a question of funding the nearly \$280 million necessary to implement this new mix.

Furthermore, I understand that even if they were able to find \$280 million to pay for these aircraft, they still have not addressed the increased training costs that would be caused by basing

these aircraft in North Carolina, as some have suggested.

When the F/A18 squadrons are activated they will be based in major metropolitan areas where the demographic pool for potential reservists is larger. Standing up two F/A18 squadrons in the Marine Corps Reserves achieves two objectives. First, it assures that Marine Expeditionary Forces have enough dedicated airborne firepower. Second, it achieves this necessary goal at the least cost possible.

Mr. DOMENICI. And for myself and Mrs. HUTCHISON, let me ask the Chairman—this is a very important issue to the Marine Corps Reserves and to us—would he join us in the conference on this bill in fully addressing this issue?

Mr. STEVENS. I appreciate the Senators' concerns and I will join them in the conference on this bill in addressing this issue.

STRATEGIC ENVIRONMENTAL RESEARCH AND DEVELOPMENT PROGRAM

Mr. LEVIN. Mr. President, I would like to engage the distinguished manager of the bill in a brief colloquy regarding the Strategic Environmental Research and Development Program [SERDP]. As he knows, these funds have been and continue to be used for investigating and demonstrating innovative environmental clean-up technologies. He may also know that the U.S. Army Corps on Engineers Research Laboratory [USACERL] has been a very active component of DOD's efforts in this area. Through USACERL's work, many of these private/public sector technologies are now available for commercialization, stimulating small company creation, economic development and environmental protection.

I would urge that the committee support continuation of USACERL's excellent work, particularly remediation activities at the army production plants.

Mr. STEVENS. I am aware of the application of innovative remediation technologies at numerous DOD sites throughout the country. I appreciate the Senator from Michigan's thoughtful comments on the Army Corps' work and bringing it to my attention.

Mr. LEVIN. Very briefly, I would like to provide the Senator from Alaska with two specific examples that demonstrate just how effective USACERL has been.

The first example is an innovative air control technology being implemented at the Lake City Army Ammunition Plant in Independence, MO. A full-scale demonstration biofilter is being installed that will reduce air emissions my more than 80 percent. This will allow the plant to double production and continue to emit less than its current air quality control requirements.

The second example is a manufactured wastewater treatment project at the Radford Army Ammunitions Plant in Radford, VA. This is a full-scale demonstration of granular activated carbon-fluidized scale demonstration of granular activated carbon-fluidized bed

technology for treating DNT by-products in wastewater. This type of wastewater has proven resistant to any other type of treatment technology available today.

I hope the committee will continue to support the development of cost-effective technologies, such as these, for treating DOD wastes.

Mr. STEVENS. The technologies the Senator has mentioned sound promising. I commend DOD and USACERL for their work in this area and encourage the Department to continue such innovative work.

HISPANIC SERVING INSTITUTIONS

Mr. DOMENICI. Mr. President, I want to commend the Chairman for the leadership he has displayed in bringing the fiscal year 1996 Department of Defense Appropriations bill to the floor. I particularly want to bring attention to the historically black colleges and universities and minority institutions program element.

Mr. STEVENS. I would say to my friend from New Mexico that I am familiar with the HBCU/MI program and the important contribution that these schools make to the research efforts and capabilities of the Department of Defense. The bill before us includes \$14,800,000 to continue these activities in fiscal year 1996.

Mr. DOMENICI. I thank the Chairman. In addition to the language already included by the Committee, I would like to ask that your committee, during conference, include report language recognizing hispanic serving institutions ability to make relevant contributions to Department of Defense missions. There are several hispanic academic centers for research and education that have developed exemplary programs related to science and technology.

With the hispanic population being the fastest growing minority population in the country, persons from this community undoubtedly will be called upon to provide the leadership and expertise needed for the next century. More importantly, hispanic serving institutions that are leading our nation's efforts to educate and train persons from this population can provide invaluable assistance and opportunities for advanced collaborations to meet these challenges. With this in mind, we need to send a strong signal to the Department to take advantage of the human and academic resources available at these institutions, and to provide resources needed for enhanced collaborations related to national security interests.

Mr. STEVENS. I know of the efforts underway at many of the hispanic serving institutions and agree with you in acknowledging the critical role they can play in helping the Department of Defense address emerging national security interests. I would ask that you share the recommended report language with me or my committee staff, and I will work to address this matter during the conference on this bill.

Mr. DOMENICI. I thank the Senator. THE CASTING EMISSION REDUCTION PROGRAM

Mrs. FEINSTEIN. Mr. President, I wish to engage the Senator from Alaska in a colloquy.

Mr. STEVENS. I am happy to engage in a colloquy with the Senator from California.

Mrs. FEINSTEIN. As the Senator knows, the Casting Emission Reduction Program is a vital part of the dual-use-reuse process at McClellan Air Force Base. The CERP Program uses a new casting process developed to meet Clean Air Act requirements; \$12 million is needed to fund the 3d year of this 5-year program. Would the Senator agree that the Defense Department should consider the importance of this program when making funding decisions regarding this program?

Mr. STEVENS. I would agree with the Senator and note that she makes a very strong case for funding of the CERP Program. I do understand the importance of funding the program and am happy to recognize the Senator's interest in CERP.

Mrs. FEINSTEIN. I thank the distinguished Senator from Alaska.

FUNDING IMPACT AID IN THE DEFENSE APPROPRIATIONS BILL

Mr. DOMENICI. Mr. President, the Jeffords amendment No. 2393 would fund \$400 million of the Impact Aid Program from the Defense appropriations bill. It would breach the firewalls between defense and nondefense.

I do not rise in opposition to the Impact Aid Program. It is an important program and Congress should provide sufficient funding to meet the Federal Government's responsibilities in this area.

Since impact aid is classified as non-defense discretionary spending, this amendment would be scored as affecting nondefense discretionary budget authority and outlays and would be subject to a budget point of order because it would cause this subcommittee to exceed its budget allocation for nondefense spending.

The Impact Aid Program has been classified as a nondefense expenditure since 1990. The conference report on the 1990 Budget Enforcement Act clearly lists this program in the nondefense category in the jurisdiction of the Labor, HHS Subcommittee.

The 1996 budget resolution's caps on defense and nondefense spending were based on the 1990 classification. The budget resolution assumed funding for the Impact Aid Program as a non-defense program.

If scored as defense funding, the effect of this amendment will be to penalize the Defense subcommittee for \$400 million and to free up \$400 million in spending for the Labor, HHS Subcommittee.

I fear that scoring this amendment as defense spending would make the firewalls between defense and non-defense spending meaningless. The defense budget would be eroded by efforts to fund popular nondefense items.

Maybe impact aid was improperly classified. If this is the case, and I am not suggesting it is, then we should consider reclassifying this program to the defense category.

If we reclassify impact aid, however, we need to make sure the caps are held harmless. Such a reclassification would involve shifting \$400 million associated with a portion of the impact aid account to the defense category. Next, we would increase the defense cap by \$400 million and reduce the nondefense category by the same amount.

Absent such a reclassification, funding for impact aid will be scored as nondefense expenditure regardless of which bill funds the program.

MARINE CORPS MPS ENHANCEMENT PROGRAM

Mr. SMITH. Mr. President, I wonder if I might engage the distinguished chairman and ranking member of the Defense Subcommittee in a brief colloquy.

Mr. STEVENS. Certainly, the Senator from New Hampshire may proceed.

Mr. SMITH. First of all I want to commend the Senators from Alaska and Hawaii for their fine work in formulating this appropriations bill. I know that the subcommittee was confronted by some significant fiscal challenges, and I appreciate their outstanding work in balancing resources with our military requirements.

One issue that I am concerned with, however, is the Marine Corps maritime preposition ship [MPS] enhancement program. As my colleagues know, the MPS enhancement program would add an additional ship to each of three Marine Corps preposition squadrons. These ships would be loaded with an expeditionary airfield, two M1A1 tank companies, a fleet hospital, Navy mobile construction equipment, a command element package, and additional statement. These assets will provide tremendous flexibility for crisis response and contingency operations.

Last year, under the leadership of the Senators from Alaska and Hawaii, the committee appropriated \$110 million for the first ship in the MPS enhancement program. This was an important statement of support for the preposition concept in general, and the Marine Corps program in particular. The Armed Services Committee has sustained the momentum on the MPS Enhancement program by authorizing \$110 million in fiscal year 1996 for the second ship in the program.

In reviewing the legislation before us, I am unclear as to what the recommendation of the committee was with respect to the second MPS enhancement ship. I wonder if the Senators from Alaska and Hawaii could comment on this issue.

Mr. STEVENS. The Senator from New Hampshire is correct in his review of the legislative record on this issue. The Appropriations Committee did fund the first ship last year, and is supportive of the Marine Corps MPS enhancement program. At the time the committee marked up its legislation for fiscal

year 1996, it was unclear whether the Navy was moving forward with the program established in the fiscal year 1995 authorization and appropriations bills. The committee was concerned over the lack of noticeable progress in acquiring and converting the first ship under the program. The committee was also confronted by some significant funding shortfalls in the shipbuilding and conversion accounts.

However, the committee did direct that the Secretary of the Navy may obligate appropriations up to \$110 million for the procurement of a second MPS ship in fiscal year 1996.

Mr. Inouye. Let me assure the Senator from New Hampshire that the committee did carefully consider this matter. It is the view of Senator STEVENS and myself that the language in our legislation provides authority to move forward with the second ship in the MPS enhancement program. I expect this issue will be further explored during conference, as well.

Mr. Smith. I thank the distinguished chairman and ranking member for their comments. I gather from their statements that the Appropriations Committee continues to support the Marine Corps maritime preposition ship enhancement program, but is concerned over delays by the Navy in moving forward to implement the program established last year in the authorization and appropriations bills. Is it fair to say that if the Navy can convince the committee that their program is sound, and that they can demonstrate that they are fully exploring means to reduce overall program costs, such as multiple ship contracts, that the committee would be inclined to support a second ship in fiscal year 1996?

Mr. STEVENS. I think that is an accurate description.

Mr. Inouye. Yes. That is correct.

Mr. Smith. I thank my colleagues for their comments, and fine work on this bill. I look forward to working with them on this important program.

REVISE THE AVAILABILITY OF FUNDS FOR DEFENSE CONVERSION LOAN GUARANTEES

Mrs. FEINSTEIN. Mr. President, my amendment would make statutory changes to the Defense Conversion Loan Guarantee Program authorized last year. These revisions are necessary to optimize the program's task of providing financial and technical assistance to small, defense-dependent firms adversely impacted by defense downsizing.

The Defense Conversion Loan Guarantee Program is a joint Small Business Administration/Department of Defense program which provides loan guarantees and technical assistance to small firms adversely affected by defense reductions. This program would provide SBA guaranteed businesses and communities adversely affected by defense downsizing and base closures.

In order to fully maximize this important program, there are three areas in the existing law which need to be modified:

First, the portion of DOD funds used for salaries and expenses;

Second, the current restrictive eligibility requirements which limit the number of participants in the program; and

Third, the duration of the program.

My amendment would implement these statutory changes without requiring any new appropriation of funds.

In the wake of extensive U.S. Defense downsizing and military base closures, this program is both necessary and vital to helping small businesses retain the jobs of Defense workers and create new employment opportunities in communities affected by economic dislocation. I am pleased to offer this amendment and thank my colleagues for their support.

THE DEFENSE DEPARTMENT'S FINANCIAL MANAGEMENT TRAINING PROGRAM

Mr. KENNEDY. I want to take this opportunity to commend the chairman and ranking member of the Subcommittee on Defense for their support for the Defense Department's Financial Management Training and Education Program.

This program, strongly supported by the Department of Defense, will establish urgently needed programs to give the Department's financial managers and accountants the necessary training that their private sector counterparts take for granted. This program will provide the educational resources to make these workers more effective and efficient and thereby help the Defense Department save millions of taxpayers' dollars.

In its report, the committee provides for full funding of the training program operations in fiscal year 1996. It also states that the committee expects the Defense Department to accommodate any long-term leasing costs for the planned facility within the amounts appropriated in the account for operations and maintenance, defensewide.

I believe that the Department will accommodate these costs in the manner suggested. I would like, therefore, to clarify the view of the Appropriations Committee. Is it the understanding of the committee that once the Department meets the reporting requirements contained in the Defense authorization bill for fiscal year 1996 on the necessity for establishing a center for financial management training and education, the Department will be free to enter into a capital lease for the establishment of the center without seeking further appropriation of funds or reprogramming authority?

Mr. STEVENS. Yes, that is my understanding. The committee acknowledges the justification for the training and education program, to ensure that the Defense Department's financial managers receive the necessary professional training. As stated in its report, the committee intends the Department have the authority to enter into a capital lease for the center for financial management, education, and training, using funds appropriated in the operations and maintenance account.

Mr. INOUE. I concur with my colleague, the chairman of the Defense Subcommittee. The Defense Department has the authority to proceed with this worthwhile project, once the requirements contained in the fiscal year 1996 Defense Authorization Act are met.

Mr. KENNEDY. I thank the Senators for their comments.

SURPLUS DOD HELICOPTERS

Mrs. FEINSTEIN. Mr. President, this amendment will set aside \$5 million for the conversion of surplus Defense Department helicopters for counter-drug activities. This funding is needed to upgrade these helicopters with new radio and avionics equipment, search lights, upgraded landing gear and other improvements.

There is currently a program at DOD that provides surplus military equipment to local law enforcement agencies for counter-drug purposes. However, no funding is currently available to convert the military equipment for use by local law enforcement. Localities simply do not have the funds necessary to implement this important program.

This funding is critical to allow local law enforcement agencies to respond to increased drug trafficking. For example, in Sacramento, there have been several large arrests made of drug transporting thousands of pounds of marijuana and heroin. The city plans to use the surplus helicopters for interdiction of traffickers through their area.

This \$5 million appropriation will make a huge difference in the ability of localities to utilize these surplus helicopters. I thank my colleagues for their support in adopting this very important amendment.

Mr. DOLE. Mr. President, before we conclude consideration of the Fiscal Year 1996 Defense Appropriations Bill, I want to commend Chairman STEVENS and Senator INOUE for all of their work in preparing this bill. This is perhaps one of the most important appropriations bills we pass each year. With the largest share of defense spending, this bill funds such critical accounts as operation & maintenance, procurement, research & development, and military pay and personnel. Mr. President, I am pleased to support this bill.

This year, again, the President submitted to Congress a defense budget which was woefully inadequate. As I am sure most of my colleagues know, long-term readiness is funded through the Procurement and R&D accounts, but under the President's budget, the procurement accounts were down 67.4 percent from their fiscal year 1985 peak. Additionally, the Research, Development Test & Evaluation accounts had fallen every year since hitting an FY 1988 high. Under the President's budget, these accounts would continue to plummet for the next 5 years. For all the administration's rhetoric, procurement spending and procurement rates are at their lowest levels in 45

years. Despite the administration's promises to enhance force capabilities, modernization has come to a virtual standstill. The bottom line is that under the Clinton administration, our forces have simply become smaller, but not more capable.

However, the Republican controlled Congress has kept faith with our promise to the American people to restore our national security. We refuse to continue down the path which would lead us back to a hollow military. We have added \$7 billion in overall defense spending, turning the corner on defense spending. The Defense Appropriations Subcommittee, under the direction of Senator STEVENS has worked to ensure that these additional funds were allocated to ensure not only our near-term readiness, but also to ensure that our forces were prepared to prevail in any future battle. This bill not only increases funding for accounts such as operation and maintenance but also for the Procurement and Research & Development accounts.

Let me be clear. This year's increase does not fix all of the Department's funding problems. In fact, the burden for ensuring the readiness of our military again shifts back to the administration and the Department of Defense. In preparing next year's defense budget, the administration should follow the lead of this Congress.

In closing, I again thank the chairman and ranking member for their hard work in shaping this defense bill and I am pleased to support it.

Mr. STEVENS. Mr. President, I know that the Senator from Nebraska is here to speak, and I am sorry to delay him.

I want the clerk to clear with me, and see if the desk is in agreement with me, that we now have pending before the Senate under the procedure adopted for amendments filed by 8:30. I have the Bumpers amendment No. 2398, Harkin amendment No. 2400, and the Kerry motion to recommit; is that correct?

The PRESIDING OFFICER. The Senator is correct. But there are additional amendments beyond those.

Mr. STEVENS. I ask the clerk provide us with a copy of those amendments.

Mr. STEVENS. I am in error. I forgot to list the Hutchison amendment No. 2396. I know that is pending.

AMENDMENT NO. 2399 WITHDRAWN

Mr. STEVENS. Amendment No. 2399 is a duplicative amendment, Mr. President. That was already considered in another form as an amendment submitted by Mr. HARKIN.

I withdraw this amendment.

The PRESIDING OFFICER. The Senator has that right.

The amendment is withdrawn.

So the amendment (No. 2399) was withdrawn.

AMENDMENTS NOS. 2422 AND 2423 WITHDRAWN

Mr. STEVENS. Mr. President, I withdraw amendments Nos. 2422 and 2423, which were proposed by me.

The PRESIDING OFFICER. The amendments are withdrawn.

So the amendments (Nos. 2422 and 2423) were withdrawn.

AMENDMENT NO. 2408

Mr. STEVENS. Mr. President, I call up amendment No. 2408 for Mr. PRYOR.

This is an amendment offered by Senator PRYOR dealing with certain certification requirements and approval beyond low-rate initial production for the theater missile defense interceptors.

We have discussed this matter with the Senator from Arkansas and are prepared to accept it. It may have to be modified in conference, but we wish to accept it in its present form.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

So the amendment (No. 2408) was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote.

Mr. INOUE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. EXON. Mr. President, if I might have the attention of the managers of the bill, I must make a statement that I had not intended to make, but because of a very recent development I have a responsibility to advise the Senate that I have just been advised that the junior Senator from the State of Texas has filed an amendment to the Defense appropriations bill before the Senate that would duplicate the provisions in the Defense authorization bill allocating up to \$50 million for hydronuclear testing.

It has not been generally known, I guess, but it should be established now that this Senator has been the principle proponent of a move to block passage of the Defense authorization bill until after the recess, primarily because the authorization for such tests that are also in the authorization bill on which we had a debate last week was a very close vote.

I had agreed after many people on this side of the aisle in talking to me, I had agreed not to press this issue and thereby to not delay passage of the Defense appropriations bill that is now before the Senate and is generally thought to be ready for passage sometime tomorrow.

If the Senator from Texas persists with her amendment in that regard, I withdraw my understanding not to interrupt passage of the appropriations bill.

Mr. President, earlier in the day I had written some thoughts that I am going to deliver now that were aimed primarily at the Defense authorization bill, but much of my objection to the Defense authorization bill is also incorporated in the appropriations bill that I had not intended, until the action by the Senator from Texas, to bring up until some other time.

To fully explain this to the Senate, and I have been under a lot of pressure from those on this side to not take the stand that I must take because I think a very important principle is involved,

and I might say that there are many Senators on this side of the aisle and some, including the chairman of the Appropriations Committee, who agreed with me.

Mr. President, I am advising the Senate that I will do everything reasonably within my power to block passage of the Department of Defense authorization bill that is still before the Senate and under the new action by the Senator from Texas that has now expanded to include the Defense appropriations bill, as well.

This is, indeed, a sharp departure from the norm by this Senator. For the first time in my 17 years here, I am diametrically opposed to the package of a Department of Defense authorization bill and the appropriations bill, as well.

There is still time to make some significant changes necessary that may allow for passage of the appropriations bill, but time is wasting. My remarks apply to both the defense authorization and the appropriations bills.

There are many specific provisions in the Defense authorization bill and the appropriations bill that are, in my opinion, absurd and fraught with deficiencies with regard to the legitimate national security interests of the United States of America.

Equally appalling are the parts of this bill that clearly rebuke our Nation's stated policies, our treaty obligations, and our responsibilities as a leader of the free world. In many respects this bill is an abomination from the standpoint of our Nation's thoughtful policies concerning the security of mankind tomorrow and well into the next century.

If ever there was a clear example of the United States sticking its head in the sand to escape reality in the most thoughtless manner, this is it.

Obviously, Defense policy and foreign affairs go hand and hand. The net result of the Defense authorization and to a considerable extent, the appropriations bill, as presently written, is that we are simply throwing up our hands in applause of short-sighted isolationism.

For the purpose of this discussion, allow me to concentrate on only two of the most glaring potential disasters in the legislation as it has come out of committee, each of which has been affirmed by relatively close votes on the floor of the Senate last week.

They both have to do with nuclear weapons initiative. They both dramatically reverse existing national policies. I speak of the provisions in the Defense authorization bill concerning the violation of the antiballistic missile ABM Treaty and the related matter that the United States resume nuclear weapons testing which would likely end any chance of successfully concluding a comprehensive test ban treaty agreement.

Mr. President, this Senator has been pressing the administration for a firm statement on this policy. This is necessary more than ever because of the

recent announcements by the French that they are continuing nuclear testing again, and now that is causing great political unrest against the Government in France because of that action as has been quite prominently displayed in the press.

Likewise, the Chinese are doing additional nuclear testing. If the United States of America begins any kind of nuclear testing, and I emphasize any kind, it is going to eliminate any chance that we could have a real comprehensive nuclear test ban treaty.

The unilateral break out of the ABM Treaty was thoroughly debated on the floor last week and the Senate's final disposition of the issue remains unresolved. There can be no question that the President will veto this bill as it is written. There has been some progress towards correcting some of the most onerous provisions with regard to the ballistic missile treaty.

I am studying those at the present time, but I wish to focus tonight on a controversy that is in the long run maybe even more damaging to world peace. That is the resumption of nuclear testing and its affect on the comprehensive test ban negotiations.

While both arms control matters are extremely important, the ABM Treaty issue involves only two countries: The United States and Russia.

On the other hand, the comprehensive test ban treaty involves almost every country in the world, regardless of their size or nuclear capability today and in the future.

I have reason to believe that in the very immediate future the Clinton administration is going to take a very strong stand on this matter that will clearly indicate that the Senate did the right thing 3 years ago, when the Hatfield-Exon-Mitchell amendment was agreed to. And the Senate did the wrong thing when it reported out of the Armed Services Committee the beginning of tests all over again.

In Friday's debate on the nuclear testing issue, there were gross misstatements about the Exon-Hatfield et al amendment to delete the \$50 million funding authorization to resume testing reported out by the Armed Services Committee. This proposal would violate the carefully crafted Hatfield-Exon-Mitchell nuclear testing law of 3 years ago.

The gross distortion of facts I refer to, possibly unwittingly but nevertheless untrue, contributed to the narrow vote overturning our Nation's nuclear testing policy. I refer primarily to the series of false statements made by the opposition to our amendment on the recent report of the Jasons group. The Jasons group is a collection of the most renowned and best informed scientists from our three national laboratories, including noted physicist Sidney Drell, regarding the resumption of so-called small nuclear tests at our Nevada test site.

While I inserted the complete text of the JASON report—the executive sum-

mary of the JASON report into the CONGRESSIONAL RECORD on Friday, I ask unanimous consent that the Washington Post article be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. EXON. Whether intentional or not, what the opponents of our amendment did was distort, for their own purpose, the latest report from the JASON group. I quote briefly from the article from the Washington Post that I just referenced. The story opens with this statement:

A group of eminent U.S. physicists and nuclear weapons designers has concluded that the military has neither "a present nor anticipated" need for small nuclear weapons tests that a Senate majority voted last week to spend \$50 million to prepare for.

Mr. President, it goes on in the next paragraph:

The scientific group concluded after a six-week study for the Department of Energy that conducting the small explosives would not add measurably to the safety and reliability of the U.S. nuclear arsenal, which the scientists said has been solidly established by more than 1,000 nuclear explosions.

Then, Mr. President, I go to the last paragraph of the story which sums it up.

This summary [that I have been referencing] stated that the group's detailed findings "are consistent with [a] U.S. agreement to enter into a Comprehensive Test Ban Treaty of unending duration" provided that the treaty allows the country to withdraw if warranted by "supreme national interests."

I believe that this study represents the views of a very diverse and experienced scientific community,

said Drell, the Panel's chairman.

Now, Mr. President, I hope and I expect that the Members of the United States Senate will study very carefully this whole issue, before we rush ahead. That is why I strenuously object to the inclusion of this matter in the appropriations bill, where it was left out during the considerations of that committee.

So I repeat, whether intentional or not, these false statements that the opponents used against our amendment distorted for their own purposes the latest report of the JASON group, by confusing the justification for non-nuclear "hydro-dynamic" testing with that of low-yield nuclear detonations associated with "hydro-nuclear tests," which is what is authorized in the defense authorization bill.

By generally falsifying the report's conclusions and selectively lifting statements, the opponents of the Exon-Hatfield amendment were able to buttress their ill-advised and false arguments.

Mr. President, I hope this statement and the following report from the Washington Post and other events that are likely to occur in the immediate future will make it clear to all Senators who may have been unfortunately misled by the debate on the

Exon-Hatfield amendment by the opponents that what the true findings of the JASON report are might study it, might change their minds.

I hope certain Members will reconsider their positions in light of this clarification and vote to overturn the committee provisions at some time in the future.

To protect that possibility I must re-emphasize once again that I will do everything reasonably within my power to make certain that that is not authorized, the \$50 million is not authorized as the JASON committee and others say it is not necessary. It is a waste of money.

So I thought I had the obligation tonight, since I just found out about this, to advise the Senate and especially the two leaders of the Appropriations Committee, whom I have great respect for, because I did not want to blindside them.

I yield the floor.

EXHIBIT 1

[From the Washington Post, Aug. 9, 1995]

PHYSICISTS SAY SMALL NUCLEAR TESTS BACKED BY SENATE ARE UNNECESSARY

(By R. Jeffrey Smith)

A group of eminent U.S. physicists and nuclear weapons designers has concluded that the military has neither a "present nor anticipated" need for the small nuclear weapons tests that a Senate majority voted last week to spend \$50 million to prepare for.

The scientific group concluded after a six-week study for the Department of Energy that conducting the small explosions would not add measurably to the safety and reliability of the U.S. nuclear arsenal, which the scientists said has been solidly established by more than 1,000 test nuclear explosions.

"The United States can, today, have high confidence in the safety, reliability, and performance margins of the nuclear weapons that are designated to remain in the enduring stockpile," said a summary of the group's report. It was signed by several of the country's veteran bomb designers under the auspices of JASONS, a group of academic scientists who consult for the government on national problems.

The report, which has been presented to Secretary of Defense William J. Perry, Secretary of Energy Hazel R. O'Leary and other top administration officials, was issued during a growing debate in Congress and within the administration over the merits of additional nuclear testing.

The Clinton administration has been unable for months to decide whether to propose additional nuclear tests, due to disagreement between testing proponents at the Pentagon and opponents at the Energy Department, Arms Control and Disarmament Agency, and the office of the White House science adviser.

On Friday, the Senate voted 56 to 44 to keep \$50 million to prepare for so-called hydronuclear tests, even though the administration has said it does not plan to conduct any during 1996.

Proponents of additional nuclear testing, largely from the Republican majority, have argued that more explosions are needed to ensure that weapons remain safe and reliable. The administration, in negotiations being conducted in Geneva on a global accord barring all nuclear testing, has similarly insisted on the right to continue setting off extremely small-scale nuclear explosions for the purpose of maintaining the U.S. arsenal.

The group's report was endorsed by four of the principal designers of the U.S. nuclear arsenal: John Kammerdiener and John Richter of the Los Alamos National Laboratory in New Mexico, Robert Peurifoy of the Sandia National Laboratories in New Mexico, and Seymour Sack of the Livermore National Laboratory in California.

The 14-member group also included noted Princeton physicist Freeman Dyson, IBM scientist Richard Garwin, University of California physicist Marshal Rosenbluth and Stanford physicist Sidney Drell, each of whom has worked on aspects of U.S. nuclear weaponry for more than three decades.

Besides challenging the merits of the hydronuclear tests, which would have an explosive yield equivalent to about 4 pounds of TNT, the report also challenges the prevailing Pentagon view that conducting larger nuclear explosions is also essential to ensuring that U.S. nuclear weapons will continue to operate.

It states that while such tests would doubtless provide interesting data, the country should pursue other, better routes to maintaining the nuclear arsenal, such as supporting an extensive program of weapons surveillance and a "significant industrial infrastructure" to maintain aging weapons components.

The summary stated that the group's detailed findings "are consistent with [a] U.S. agreement to enter into a Comprehensive Test Ban Treaty (CTBT) of unending duration" provided that the treaty allows the country to withdraw if warranted by "supreme national interest."

"I believe that this study represents the views of a very diverse and experienced scientific community," said Drell, the panel's chairman.

Mr. STEVENS. We are awaiting temporarily for what we would call the wrap-up.

So I ask, as in morning business, Mr. President, to make this statement.

MORNING BUSINESS

(During today's session of the Senate, the following morning business was transacted.)

COMMUNITY INVESTMENT PROGRAM

Mr. BAUCUS. Mr. President, while efforts to address the needs of our less-developed communities have often come up short, innovation from the private sector has been instrumental in locating problems and providing successful solutions. Past experience shows that successful community development can only be achieved through an equal partnership between the public and private sector.

Each year, on behalf of the Federal Housing Finance Board [FHFB] and Federal Home Loan Bank System [FHLBS], 12 financial institutions from around the country are recognized for exemplary efforts in the revitalization of America's communities. I am pleased to announce that three financial institutions in Montana that are part of Glacier Bancorp, Inc. have been chosen by the Federal Home Loan Bank of Seattle to receive the Community Partnership Award for 1995. They include Glacier Bank, F.S.B. of Kali-

spell, the First National Bank of Whitefish, and the First National Bank of Eureka.

Glacier Bank and its two affiliates were recognized for developing innovative ways of using the Affordable Housing Program [AHP] and the Community Investment Program [CIP] funds to create homeownership opportunities for low- and moderate-income families, and for working with numerous non-profit partners and local governments to help meet community needs.

These institutions hold \$84 million in regular advances and have used Federal Home Loan Bank funding programs to assemble a full range of single and multifamily loan products, many of which would not have been possible without FHLB funding. In addition, they also used advances to match fund their FHA/VA loans and developed a portfolio loan product called BOB that is also funded with advances.

While using the Affordable Housing Program, Glacier Bancorp, Inc., and its institutions have sponsored three successful AHP projects receiving \$301,000 in targeted grants. Glacier Bank and the city of Kalispell are responsible for devising an innovative financing package to preserve an apartment complex in downtown Kalispell for very low-income and homeless individuals. Under the same program, Glacier Bank was awarded AHP funds for a homeownership project to help low- and moderate-income households purchase homes in distressed neighborhoods. Without Glacier's commitment to relax their underwriting standards for these homes, the project would not have been possible. These projects will create affordable housing for 64 households.

Under the Community Investment Program, the institutions have used \$17 million in CIP funds for homeowner programs benefiting 3000 households.

These examples of civic responsibility and the spirit of community are only a few of Glacier Bancorp, Inc. efforts to create affordable housing for less developed communities. This institutions' achievements should serve as a reminder of what is possible when the private sector acts locally in an innovative alliance with the Government.

INCOME TAX TREATIES

Mr. DORGAN. Mr. President, today I rise to share my thoughts about several income tax treaties now pending before the Senate. I'm very much opposed to the income tax treaties that are now awaiting action in the Senate. But my opposition stems more from the Treasury Department's stated interpretation of the pending treaties than the actual language in the treaties themselves.

Treasury Department officials interpret one article in each of these treaties as preventing the United States from scrapping its outdated arm's length enforcement approach on corporate income tax and replacing it